

# Eastern Shore



# Intelligencer.

EASTON: (MARYLAND.) Published every Tuesday Morning, by JAMES COWAN.

[VOL. XIVth.]

TUESDAY MORNING, APRIL 3, 1804.

[NO. 716.]

FROM THE GAZETTE U. STATES.

## DOCUMENTS

Accompanying the report of the committee appointed to inquire into the official conduct of SAMUEL CHASE and RICHARD PETERS.

The depositions of William Lewis, and Alexander James Dallas, Esquires, taken at the city of Philadelphia, by virtue of the annexed commission directed to us Thomas Leiper and Marlon Dickerson, who attend agreeably to the directions in said commission to take the examination of the said William Lewis and Alexander J. Dallas, touching the matters in said commission mentioned.

The said William Lewis and Alexander J. Dallas, appearing before us, and the said William Lewis being solemnly affirmed on the twenty fifth day of January, one thousand eight hundred and four, to make true answers to such questions as should be asked him upon the interrogatories hereunto annexed, and the said Alexander J. Dallas, being duly sworn on the twenty fourth day of the same month, to make true answers to such questions as should be asked him upon the interrogatories hereunto annexed, and they being examined by us, depose as follows, in their respective depositions, hereunto annexed.

Interrogatories exhibited on the part of the House of Representatives to William Lewis and Alexander James Dallas, upon the inquiry into the official conduct of Samuel Chase and Richard Peters, or either of them.

1. Were you present at the trials of John Fries for high treason, in the circuit court of Pennsylvania—in the years 1799 and 1800.
2. Who presided on those trials?
3. What were the circumstances, generally, which attended them?
4. Were the counsel for the prisoner, at the first trial, permitted to argue the point whether the offence charged amounted to high treason?
5. Were they prevented by the court from arguing that point on the second trial?
6. Was the prisoner condemned without counsel being heard in his defence?
7. Did any correspondence ever pass between you and the Executive of the United States, on that occasion? and if any of what nature?
8. Is that correspondence now in your possession?
9. Relate every thing within your knowledge which happened at the trial?
10. Are you acquainted with the circumstances which attended the trial of Thomas Cooper for sedition?
11. Relate those circumstances.
12. Was a subpoena to summon any witness in behalf of the accused refused? how, and by whom?

JOHN RANDOLPH,

Chairman of the committee appointed to inquire into the official conduct of Samuel Chase and Richard Peters, or either of them, &c.

THOMAS LEIPER,  
MARLON DICKERSON,

The answers of William Lewis, to the interrogatories exhibited to him on the part of the House of Representatives, upon the inquiry into the official conduct of Samuel Chase and Richard Peters, or either of them.

I, William Lewis, of the city of Philadelphia, being one of the people called Quakers and conscientiously scrupulous of taking an oath, on my solemn affirmation declare and affirm as follows.

That I was present at the trial of John Fries, for treason in the circuit court of Pennsylvania, in the year 1799, and assisted him as his counsel, at his request, and I believe under an assignment for that purpose by the court, but I have no recollection of having been present at any part of his trial for treason in 1800.

That the first trial was before the honourable James Iredell, one of the associate judges of the supreme court of the United States, and the honourable Richard Peters, judge of the district court of Pennsylvania.

That Mr. Dallas, Mr. W. Ewing and I were counsel for the prisoner, and were permitted freely to produce every authority, and to urge every argument which we thought proper and relevant, on the law as well as the facts, to prove that the offence did not amount to treason, that the trial was conducted to the best of my judgment and belief, with moderation, patience and indulgence, and I do not recollect anything to have taken place during the trial, that seems to me to merit particular notice, except, that after the prisoner had been convicted, a new trial was granted, on the motion of Mr. Dallas and myself; principally, I believe, on the ground, that one of the jurors, after he had been summoned, and before he was sworn, had made declarations, manifesting a prejudication of the case against the prisoners in general, and more particularly so, against John Fries.

It is with great regret that I find myself called on at this distance of time, when I fear that my recollection may in some degree fail me, to answer the fifth interrogatory, and I feel it a duty to add, that although my memory, I believe, a remarkably accurate one for a short time, it is far from being so, after a considerable lapse of time, and it is therefore possible that my answers to this interrogatory may not be so correct as I wish them to be, but they shall be as much so as it is in my power to make them.

To the best then of my recollection and belief, the following circumstances took place on the two days next preceding the trial of John Fries, for treason, before the Honourable Samuel Chase, one of the associate judges of the supreme court of the United States, and the Honourable Richard Peters, judge of the district court of Pennsylvania, in the latter end of April or early in May 1800. Mr. Dallas and I were the counsel of the prisoner at his request, and I believe by the appointment of the court. On the first of these days, when I entered the court room, the judges were on the bench, the jury were soon after called, and many of them appeared. I am unable to say whether John Fries was at this time in the bar assigned for criminals or not, but if he was not then I feel sure that he was placed there in a few minutes after. Mr. Dallas was not at this time in court, and before he came, Judge Chase handed or threw down to Mr. Caldwell the clerk of the court, one or more papers, and at the same time delivered himself, in substance, and as nearly as I can recollect to the following effect: That he understood or had been informed, that

on the former trial or trials, there had been great waste of time, by counsel making long speeches to the jury on the law as well as on the facts, and on matters which had nothing to do with the business before the court, and he particularly noticed in strong and pointed terms of disapprobation, their having read, and I think having been permitted to read, certain parts of certain statutes of the United States, relating to crimes less than treason, in order to show that the prisoner's case came within them, & which he said, he or the court (I do not recollect which) would not suffer to be read again, as they had nothing to do with the question. He added, that we are judges of the law and understand it, or we are not fit to sit here; that cases at the common law, or under the statute law of England previous to the English revolution, had nothing to do with the question, and that they would not suffer them to be read; that they had made up their mind on the law, and had reduced it to writing, and that the counsel might conduct themselves accordingly (or conformably to it) he or they had ordered copies of it to be made, and one of them to be delivered to the counsel in support of the prosecution, and another to the prisoner's counsel, and that as soon as the case was opened or gone through (I am not sure which was the expression) on the part of the prosecution, he or they (I am not certain which) should order one to be delivered to the jury. He also added, that if we had any fault to find with the opinion of the court, or had anything to say on the law, to show that they were wrong or had mistaken it, we must address ourselves to the court, and not to the jury. About the time when Judge Chase began to speak, the clerk handed me one of the papers. If I looked at it, it has escaped my recollection, but if I did, I am confident that I read but a very small part of it, as my attention was immediately engaged by the declarations made by Judge Chase, and I very soon threw it from me, declaring in court, but whether addressing myself to it, or not, I cannot recollect, that my hand should never be tainted by receiving a prejudged opinion in any case; much less in a capital one. The novelty as well as the nature of the proceeding agitated me considerably, and I replied with that warmth which I thought the occasion demanded, as nearly as I can recollect, as follows: That in civil cases I deemed it proper that the consideration of the law, and the facts should be kept as separate as possible, and that the former should be determined by the court, and the latter by the jury, but that in criminal cases, and especially in capital ones, it was the constitutional right of the jury to determine the law as well as the facts; that it was the right of the prisoner for the jury to pass between him and his country on both of them; that it was the right of his counsel to address the jury on the law as well as the facts; that I deemed this right a sacred and a great constitutional one, which should never be sacrificed by me, and I added that I never had, and never would address to the court on the law in any criminal prosecution whatever.

That although the constitution and statute of the United States might not perhaps be materially different from the English statute on treason, as to levying of war, and although the judges of England since their situation was

rendered independent, had been able and upright, it did not follow that the law of treason as settled in that country, was applicable here, because the judges there had since the revolution, and since their independence, held themselves in many particulars, bound by former decisions, but that our judges were not bound by them in the construction of a new statute of our own, and that I therefore could not submit to the doctrine, that whatever was the present law of treason in England, as to the levying of war, was the law of treason in this country. That it was important to guard at the beginning against a latitude of construction of our own constitution and law shewing the extravagant lengths which courts in England had gone under the statute of Edward the third, before the judges were independent, and when many of the constructions which prevailed at this day were established; that I deemed it the right of counsel to shew this, and if I was deprived of it, and if the court had made up their mind on the law before the jury were sworn; before any evidence was given, and before the prisoner's counsel had been heard, and if the counsel were now to be restricted in the manner declared by Judge Chase, I despaired of being able to render the prisoner any service as there was but little at any time as to the facts, and his case depended in a great measure, if not altogether, on the law. It is impossible for me at this distance of time to repeat the precise words that were made use of, in so sudden and unexpected an altercation, but I feel confident that I have stated the substance, and most material parts, and although I am not conscious of it, it is impossible that some parts of what I have mentioned as being said by me, passed on the second and not on the first day.

Judge Chase apparently heard me with impatience (I mean on the first day) and most certainly without seeming to pay much regard to what had been said by me.

In an early stage of the business I was struck with the idea, that if Judge Chase had made up his mind on the law, it was not likely that any thing which Mr. Dallas or I could say would alter it; and that if we withdrew from the prisoner's defence under the circumstances, which took place and left him without counsel, and if he should be condemned, it was not likely that he would be executed, and I therefore concluded in my own mind, that it would be best for us to do so, more especially as we had been assigned by the court, and I thought we might do it without dishonour to ourselves.

As soon as I saw Mr. Dallas coming into court I met him & gave him a brief (I believe not a full) account of what had taken place & of my determination, if he concurred in it. He did concur & we went to the bar together, where he repeated in part, the sentiments which had been delivered by me, with some additional ones. The trial did not come on that day, I am not sure of the cause which prevented it, nor have I the least recollection of having heard Judge Peters on that day say a single word on the subject which has been mentioned.

Mr. Dallas and I informed John Fries, of our determination to withdraw ourselves from his defence, if he would agree to it; and we strongly recommended to him to do so, as we did not think it likely, after what had



passed, that we could render him any service in court—and as our withdrawing ourselves might, and probably would, be of material use to him with the President, if he should be convicted. He seemed greatly alarmed at his situation, and perplexed to know what to do. We told him that if he insisted on it, we would go on with his defence and render him all the service in our power; but, that after what had passed, we feared it would be little, if any.

He at length said, that his dependence was on us, that he was sure we would advise him to the best, and that he would do as we thought proper.—It was then agreed, that we should withdraw ourselves as had been proposed. I believe it was not at this time, but certainly before he was called on in court the next day, it struck me, that perhaps the court might offer to assign him other counsel,—and as I supposed that the reason which influenced the conduct of Mr. Dallas and me, should equally apply to them, I advised him not to accept of it, and he agreed to follow my advice.

When I have said that Mr. Dallas and I told the prisoner, that if he insisted on it, we would go on in his defence, I am not to be understood that we would have done it under the restriction which had been attempted by Judge Chase, but that we would have gone on in the usual manner and in the exercise and enjoyment of all our professional rights, until we were stopped by the court and so far as concerns myself, I solemnly declare, that if I know my own mind, I would have gone on in this way or not all; that I would not have tamely surrendered any one of the rights for which I contended; that I held them, and still hold them so sacred that I should have persisted in them until I was stopped by an actual exercise of the authority of the court; and that if this had taken place, nothing could have induced me to proceed further, whatever the consequences might have been.

Having as I believed, with Mr. Dallas, faithfully done our duty on the first day, and satisfied John Fries of the propriety of our conduct, and prevailed on him to follow our advice, I went to court the next day with a mind somewhat indifferent as to what might take place, and I believe intending to neither say or do any thing more than to inform the court, that neither Mr. Dallas nor I was any longer the counsel for the prisoner, and that we should take no part in his defence. Soon after the opening of the court, Judge Chase addressing himself to Mr. Dallas and me, asked, if we were ready to proceed; on which I answered that we were no longer the prisoner's counsel, and I began to state in a few words our reasons for our withdrawing ourselves from his defence, when I was interrupted by his telling me, that we might go on in our own way, as we pleased, and that the court would hear us, and to the best of my recollection he expressed himself in terms which evidently shewed a willingness that we might go on without the previous restrictions which had been insisted on the day before. We refused on account of what had passed, and of the determination which we had taken.—The court endeavoured to prevail on us to proceed, but it was in vain, for we were positive and determined not to do it.—Judge Peters said that we might take as large a range as we pleased, and asked if an error had been committed, if we would not suffer it to be corrected?—or words to this effect. He added that the papers which had given so much offence had been all called in, and I think he said that they had been burnt or destroyed. I observed that although that might be the case, with respect to the papers, it was not so with respect to the pre-determination on the minds of the Judges, which still remained, and would have the same effect as if the papers were still in existence. I added that many of the jurymen who had been present and heard what had passed, might be on the trial with all the prejudices which the declarations from the bench on the preceding day had created. The court appeared anxious to induce Mr. Dallas and me to undertake the prisoner's defence, and certainly offered to remove every previous restriction which had been insisted on the day before. We repeated and insisted on several of the grounds which we had taken on the preceding day, and ab-

solutely refused to have any thing further to do with the prisoner's defence before the court. I there left it, and do not recollect to have been there again until I was informed of his trial and conviction; and I therefore cannot say what circumstances attended his second trial. It is proper to add, that when Judge Chase desired Mr. Dallas and me on the second day to go on in our own way and as we pleased, he said it would be at the risk or hazard of our characters, if we attempted to conduct ourselves improperly, and that it must be under the direction of the court, which would judge of what was right, or words to this effect.

That I have always understood and believed the prisoner was condemned without counsel being heard in his defence, but not having been present at the second trial I cannot assert it of my own knowledge.

That soon after sentence of death had, as I understood, been pronounced on Fries, Mr. Thomas Adams, the son of the then President Adams, spoke to me in court, and said his father wished to know the points and authorities which Mr. Dallas and I had intended to rely on, in favor of Fries, if we had defended him on his last trial; and asked if we had any objections to his seeing them? I said that I had not; but the President never sent to me for them, nor did I ever send them to him. Shortly after this Charles Lee, Esq. the then attorney general, made a similar request of me, and assigned as a reason for it, that he might perhaps be consulted by the President on the occasion, and wished to consider the case; but he did not tell me that the request came from the President, nor that he intended having the statement, which he asked for, before him. I spoke to Mr. Dallas, and we agreed to comply with Mr. Lee's request.—Mr. Dallas prepared a statement in the form of a letter, from him and me, to Mr. Lee, and sent it to me—I made some alterations in it, had it copied, and then sent to Mr. Dallas the original draft and alterations, together with the copy signed by me. The letter was, as I understood, signed by Mr. Dallas, and sent to Mr. Lee. Mr. Dallas being in possession of the original draft and alterations, is more capable of proving the contents, than I am. He has lent me a copy, which I suppose to be correct; but as I have not compared it with the original, I cannot prove it to be so. He is also in possession of a letter in answer to it, from Mr. Lee to him and me, and can better prove its contents than I can, although he has furnished me with a copy which I suppose to be correct.

I know of no other correspondence that ever passed between the executive of the United States and me, on the occasion mentioned in the last interrogatory.

W. LEWIS.

(To be continued.)

## THE HERALD.

EASTON,

TUESDAY MORNING, April 3.

The Editor of the Herald very respectfully solicits the attention of his patrons to their several arrearages which appear to be due for the paper, advertisements, &c.

### NEWS IN ABSTRACT.

Mr. Pichon, minister from the French Government, resident at the city of Washington, is said to be suddenly recalled; and that a person has arrived to succeed him.

His Majesty, the King of England, was still ill on the 20th of Feb.—His malady is said to be *madness*, his former complaint.—The consequence is a dreadful suspension of business.

For the convenience of being near the coast, the French Government is to be removed to Dunkirk.

Accounts state that Gen. Angereau has embarked from Bourdeaux with 40,000 men for Rochelle, another account says 100,000.

Recent and alarming disturbances have broken out in Ireland.—The noted chief Cotteran has been killed in Carlow, in the act of defending himself from a body of the Yeomanry.

The President is authorized by an appropriation of a million of dollars for the navy department, to employ two vessels of 16 guns each, and as many gun-boats as he may think necessary, in the Mediterranean service.

The motion lately made in the senate by Mr. Wright, of Maryland, for the temporary removal of the seat of government, has been negatived by a majority of 10; Mr. Wright himself voting in the negative.

Mr. Dawson's resolutions in Congress to recede the district of Columbia have received a virtual rejection: we say rejection, in as much as a postponement to the next session is, in effect, the same thing.

50,000 dollars are appropriated towards finishing the President's house, for the accommodation of Congress, and purchasing a house for the President.

The sentence of Col. Butler, who was tried at a court-martial at Fredericks Town, in November last, for disobedience to a general order, to regulate the uniform of the hair, by cutting it off—2d, for disobedience of the order of the President of the United States. 3d, for neglect of duty. Of the first charge he is found guilty, and sentenced to be reprimanded in general orders.—Of the 2d and 3d charges he is acquitted.

Captain Hills, in 24 days from Lisbon, informs that no expectations were entertained when he sailed, that either Spain or Portugal would be involved in the war. The British consul had arrived at Lisbon from Algiers. He mentioned that Commodore Preble was proceeding to make an attempt to burn the Philadelphia, which still remained aground.

### TOM PAIN.

The Aurora, of the 6th inst. contains a letter addressed to the people of England by TOM PAIN. He says the original plan of the Directory for the invasion of England, was to prepare 1000 gun boats, each capable of carrying 100 men; that "BONAPARTE" was then appointed to command; and by an agreement between him and Mr. I was to have accompanied him."

We understand that several negroes escaped from the jail in this town on Saturday evening last.—They were committed for burglary and larceny.

A melancholy accident lately spread desolation amongst the inhabitants of Cervo, a commune situate in the Genoese territories. A large portion of finely cultivated land, on the side of a mountain, being loosened by a heavy fall of rain, suddenly separated from the mountain and was carried by the torrent to the sea, where the greater part of it was swallowed up, together with a vast number of olive trees and vines. Many of the inhabitants have been in consequence ruined, whilst their dwellings are equally menaced with destruction from the consequences of the accident.

March 28, 1804.

Mr. COWAN, You inserted in your Herald of the 13th inst. an Extract from the Works of SIR MATTHEW HALE; being the remarks of that distinguished man, upon a becoming Performance of the Duties of the Lord's Day. I send you an Extract from another part of his Writings, relative to the same subject. This is taken from a Letter written to his children, from a place where he had rested on the Sabbath (being on his way to London,) and at the intervals from the public Duties of that sacred Day, as himself observes.

The Extract is as follows: "I am now come well to F. from whence I wrote to you my former instructions, concerning your words and speech; and I now intend to write something to you of another subject, viz. your *Observation of the Lord's Day*, commonly called *Sunday*; and this I do for these Reasons.

1. Because it hath pleased God to cast my lot so, that I am to rest at this Place upon that Day, and the consideration therefore of that Duty, is proper for me and for you; it is *opus dei in die festo*, the Work fit and proper for that day.

2. Because I have by long and sound experience found, that the due obser-

vance of this Day, and of the Duties of it, have been of singular Comfort and Advantage to me; and I doubt not but it will prove so to you. God Almighty is the Lord of our Time, and lends it to us; and as it is but just we should consecrate this part of that time to him, so I have found by a strict and diligent observation, that a due allowance of the Duty of this Day, hath ever had joined to it, a Blessing upon the rest of my Time; & the week that hath been so begun, hath been blessed and prosperous to me; and on the other side, when I have been negligent of the Duties of this Day, the rest of the week hath been unsuccessful and unhappy to my own secular employments; so that I could easily make an estimate of my successes in my own secular employments the week following, by the manner of my passing this Day: and this I do not write slightly or inconsiderately, but upon a long and sound observation and experience.

3. Because I find in the World much *Looseness and Apathy from this Duty*. People begin to be cold and careless in it, allowing themselves Sports and Re-creations, and secular employments in it, without any necessity, which is a sad spectacle, and an ill presage. It concerns me therefore (that I am your Father) as much as I may, to rescue you from that Sin which the Examples of others, and the inclination and inconsiderateness of youth is otherwise apt to lead you into."

It is impossible here not to remark the difference between this eminent Character, and some of those in our Time, who might be respectable and amiable examples to their Families, and their poorer Neighbours; if, to their other accomplishments, they would add a proper respect to the Precepts of the Decalogue. Whilst this great and good man devotes the retired moments of the Lord's Day to writing religious instructions to his children, when he had it not in his power to communicate them in person, how many in our *Age of Reason*, who would not bear to be undervalued in a Comparison with any Man—much less, to be considered as *Deists or Infidels*, will not hesitate to begin or continue a journey on the CHRISTIAN SABBATH, forgetful both of the public and private Duties of it!

Washington College, March 27, 1804.

The Visitors and Governors having determined to enlarge the Plan of Education in this Seminary, to the extent authorized by their original Charter of Incorporation,

hereby give notice,

THAT they have engaged Miss HENDERSON, to open a School for Young Ladies, on Wednesday the 4th of April next, in that large and commodious house in Chester-town, heretofore occupied for the same purpose by Mrs. Mansell.

In this School, which will be under the direction and control of the Visitors, Young Ladies will be taught Spelling, Reading, Plain Sewing—Marking on Samples, Tambouring, Embroidery, Lace Work, Flowering on Mullin, Chinelle, Filagree and Fancy Work.—And at stated and appropriate Houses, the professor of English and Oratory in the College will attend to instruct the Young Ladies in writing English Grammar, Arithmetic, Geography, and the use of the Globes.

Miss Henderson will take Young Ladies to board on such terms as she and their parents may think reasonable.

By order of the Board of Visitors and Governors of Washington College, DANIEL M'CURTIN, Sec'y.

### THE SUBSCRIBER'S

famous horse Hero,

CANADIAN BREED, will cover at Six Dollars the season.—Four Dollars will discharge the debt, if paid by the first day of October, or Three Dollars down. Hero will stand at Easton on Tuesdays and Wednesdays; at St. Michael's on Thursdays and Fridays; at the Trappe on Saturdays; in Oxford on Sundays and Mondays, until the last day of June, 1804.

EDWARD BROMWELL.

April 3, 1804. 16 3w

APPRENTICES INDENTURES, For sale at this office.



## Valuable Lands

FOR SALE.

On the 23d day of May next, will be exposed to public sale, on the premises, all that very valuable body of LAND, usually called the White Marsh, lying in Sassafras Neck, in Cecil County, containing about 1075 Acres, part of the real estate of Col. JAMES BRICE, late of the City of Annapolis, deceased.

THIS Land is esteemed by those who are best acquainted with it, to be equal, if not superior, in quality and situation, to any in that county, and is peculiarly well adapted to the cultivation of wheat, corn, and other grain. It is at present divided into three handsome farms, each of which has abundance of wood, and a suitable proportion of meadow lands. The improvements on the middle farm consist of a good dwelling house, barn, stables, and other out houses. Those on the other two consist only of negro quarters, built of logs. On a corner of the middle farm is a store house, granary, and a comfortable dwelling house, situated at the intersection of two public roads. The store, &c. with about three acres of ground, is at present under rent at \$60. per annum, and is esteemed an excellent stand for business, especially in the Grocery line.

The above land is situated about six miles from Frederick Town, on Sassafras River, and about thirteen miles from Appoquinimink, the latter of which is a steady good market for Wheat. It is probable that the Canal, which it is in contemplation to cut between the Chesapeake and Delaware, will enhance its value. This property will be sold on one body, or divided into such parcels as may best suit the purchasers. The terms of sale will be, one half of the purchase money to be paid in 15 months, the residue in two years; the whole to bear interest from the day of sale, and bonds, with approved security, to be given for the same.—Mr. Gasaway Watkins, manager, residing on the middle farm, will show the Lands to those inclined to purchase.

NICHOLAS CARROLL, } Trustees  
NICHOLAS BRICE, }

N. B. At the same time will be sold on terms then to be made known, a number of fine Horses, Sheep, Hogs, &c. and all the farming utensils, but none of the Negroes.

NICHOLAS BRICE, Adm'r. of James Brice.

April 3, 1804.

### WANTED IMMEDIATELY,

### An Apprentice Boy

To the House Carpenter's Business, TRISTRAM BOWDLE.

Easton, March 13, 1803. 13 5w

### WANTED,

A YOUNG MAN, qualified to take charge of a STORE & SET OF BOOKS.—For such a one liberal wages will be given.—ALSO—a BOY from about thirteen, and not exceeding fifteen years of age, will hear of a situation, if speedy application be made to DAVID KERR, Junior.

Easton, March 27th, 1804. 15

### NOTICE,

IS hereby given that, agreeably to the terms of Association proposed for forming a company by the name and style of "The President and Directors of the UNION BANK OF MARYLAND,"—A subscription for Talbot County, for five hundred shares, under the direction of the subscribers, will be opened on Monday the 9th day of April next, at the Counseling Room of Mr. Owen Kennard in Easton, and will continue open, during the times and within the hours specified in the articles of Association already published.—Of which persons, desirous of entering into the said Association, are required to take notice.

OWEN KENNARD,  
NICHOLAS HAMMOND,  
WILLIAM MELUY.

Easton, 27th March 1804. 15 3w

A BOY, from 14 to 15 years of age, is wanted in the HERALD OFFICE as an Apprentice to the Printing-Business.

## ARTICLES OF ASSOCIATION OF THE UNION BANK OF MARYLAND.

TO ALL TOWHOM THESE PRESENTS SHALL COME, OR IN ANYWISE CONCERN.

BE IT KNOWN and made manifest, that we, the subscribers, have formed a company or limited partnership, and do hereby associate and agree with each other, to conduct business in the manner herein after specified and described, by and under the name and style of "The President and Directors of the Union Bank of Maryland;" and we do hereby mutually covenant and agree, that the following are and shall be the fundamental articles of this our association and agreement with each other, by which we, and all persons who at any time hereafter may transact business with the said company, shall be bound and concluded.

ARTICLE 1. The capital stock of the said company shall consist of THREE MILLIONS OF DOLLARS, money of the United States; five hundred thousand dollars of the said stock shall be reserved until the legislature may incorporate the company, and may be subscribed for by the State, if desired by the legislature thereof; this reservation, however, shall not continue for more than five years from the first election of directors. The said capital stock shall be divided into shares of one hundred dollars each; twenty dollars on each share to be paid to the commissioners at the time of subscribing, thirty dollars more to the directors in Baltimore, in ninety days thereafter, at which time it is expected the bank will commence its operation, and the remainder in such proportions and at such times as the directors may appoint, under pain of forfeiting to the said company the said share or shares, and all previous payments thereon; but no further payment shall be required without first giving six weeks notice in at least two newspapers printed in the city of Baltimore, one in Fredericktown, one in Hagerstown, one in the city of Annapolis, and one in Easton. And the said stock shall be subscribed for under the direction of the commissioners hereinafter named, in manner following; that is to say, The subscription for the city and county of Baltimore, shall be opened in the city of Baltimore, on Monday the ninth of April next, for fifteen thousand five hundred shares; under the direction of

Jas. A. Buchanan, Thomas M. Elderry,  
Solomon Ertting, Walter Dorsey,  
John Hollins, Henry Rayson,  
Wm. Hindman, Herkiah Claggett,  
Andrew Ellicott, Junr. David Winchester,  
Luke Tirmann, Isaac Tjawn, &  
Chas. Ridgely, of H. Ebnerker Finley,  
Solomon Birchhead, or a majority of them.

And on the same day, for five hundred shares at Leonardtown, for St. Mary's county, under the direction of William Holton, Joseph Ford, Luke W. Barber, and James Hopewell.

At Port Tobacco for Charles county, for five hundred shares, under the direction of Henry H. Chapman, col. Philip Stuart, William H. McPherson, and Francis Digges.

At Prince-Frederick town for Calvert county, for five hundred shares, under the direction of Richard Graham, Richard Miskell, Joseph Wilkinson and Samuel Whittington.

At Upper Marlborough, for Prince George's county, for five hundred shares, under the direction of Edward H. Calvert, Archibald Van Horn, Thomas Snowden and Jacob Duckett.

At Annapolis, for Anne Arundel county and the city of Annapolis, for one thousand shares, under the direction of Charles Alexander Warfield, John Johnson, Henry Maynadier and John Muir.

At Montgomery court-house, for Montgomery county, for five hundred shares, under the direction of Thomas Davis, Under Beall, Caleb Bently and Thomas P. Wilson.

At Fredericktown, for Frederick county, for five hundred shares, under the direction of George Mardock, David Shriver, William M. Beall and Thomas Hawkins.

At Hagerstown, for Washington county, for five hundred shares, under

the direction of Samuel Ringgold, Nathaniel Rochester, Robert Hughes and Jacob Zeller.

At Cumberland, for Allegany county, for five hundred shares, under the direction of William M. Mahon, Daniel Fetter, James Scott and Jesse Tomlinson.

At Belle Air, for Harford county, for five hundred shares, under the direction of John Montgomery, Gabriel Christie, John Stump and George Patterson.

At Elkton, for Cecil county, for five hundred shares, under the direction of Daniel Sheredine, John Partridge, John Gilpin and William Alexander.

At Chestertown, for Kent county, for five hundred shares, under the direction of James Houston, Benjamin Chambers, Richard Hatchelson and Richard Tilghman, 4th.

At Centreville, for Queen Ann's county, for five hundred shares, under the direction of William Chambers, James Brown, William Carmichael, and Stephen Lowrey.

At Easton, for Talbot county, for five hundred shares, under the direction of Edward Lloyd, Owen Kennard, Nicholas Hammond and William Meluy.

At Denton, for Caroline county, for five hundred shares, under the direction of William Potter, John Young, William Whitely and Isaac Purnell.

At Cambridge, for Dorchester county, for five hundred shares, under the direction of Charles Goldborough, Josiah Buile, Matthew Keene and James Steele.

At Princess Anne, for Somerset county, for five hundred shares, under the direction of Benjamin F. A. C. Dashiell, Littleton D. Teackle, William Williams, William Jones, and

At Snow Hill, for Worcester county, for five hundred shares, under the direction of Zadoc Sturgis, John Williams, Ephraim K. Wilson and Stephen Purnell.

And the commissioners aforesaid, or any two of them in the respective counties, shall open the subscription books, at ten o'clock, A. M. and they shall continue open until four o'clock, P. M. and shall remain open between those hours for one day, at least, and for the term of three days, unless sooner filled; And if it should so happen, that more than the stipulated number of shares should be subscribed on the first day, then the commissioners aforesaid are to apportion them among the subscribers, by deducting from the highest subscriptions, until they are reduced to the proper number; or, if more persons subscribe than there are shares, then the commissioners aforesaid are to decide to whom they shall belong: But, if the shares should not be all subscribed in three days, then the commissioners in the different counties, and the city of Annapolis, are to return the remainder, together with the books, and what monies they may have received at the time of subscribing, unto the directors in Baltimore, within twenty days. And the commissioners will, on deciding to whom the shares may belong, issue receipts to the different stockholders for the monies received by them at the time of subscribing; these receipts, with the original subscription, shall be deemed good evidence of the quantity of stock to which each subscriber shall be entitled in this company. But no citizen of Baltimore, or other person or persons, bodies corporate or otherwise, shall be permitted to subscribe on the first day on which the books are opened at Baltimore for more than twenty shares; and if the stock be not subscribed on the first day, the books are to remain open on the second day, on the same terms as on the first; but if they are not filled on the second day, then the commissioners may permit any person or persons, bodies corporate or otherwise, to subscribe for any number of shares, until the whole number is complete.

ARTICLE 2. The affairs of the company shall be conducted by sixteen directors, and a president, whose place, if chosen from among their number, shall be supplied by that body; and eight of the directors and the president shall form a board or quorum for transacting all the business of the company; ordinary discounts may be done by the president; and any five of the

directors. In case of his sickness or necessary absence, his place may be supplied by any director whom he, by writing under his hand, may nominate for that purpose. And the directors, who may be appointed at the first election, shall hold their seats until the first Monday in July, one thousand eight hundred and five, the directors from and after that period, shall be elected for one year by the stockholders for the time being; and each director shall be a stockholder at the time of his election, and shall cease to be a director if he should cease to be a stockholder; and no director of any other bank shall, at the same time, be a director of this bank. And the number of votes to which each stockholder shall be entitled shall be in proportion to the stock he may hold, as follows: For one share, and not exceeding two shares, one vote each; for every two shares above two, and not exceeding ten, one vote; for every four shares above ten, and not exceeding thirty, one vote; for every six shares above thirty, and not exceeding sixty, one vote; for every eight shares above sixty, and not exceeding one hundred, one vote; and for every ten shares above that number, one vote; but no person or persons, bodies corporate or otherwise, shall be entitled to more than sixty votes; and no stockholder shall be permitted to vote, (except at the first election,) who has not held his stock four calendar months prior to the election. And all stockholders shall vote at elections by ballot, in person, or by proxy, which, in all elections after the first, is to be made in such form as the board of directors may appoint.

ARTICLE 3. A general meeting of the stockholders of the company shall be holden on the first Monday in July, in every year, (except the present) at such place as the board of directors shall appoint, by giving six weeks notice, to be published in three of the newspapers printed in the city of Baltimore, for the purpose of electing directors for the ensuing year; who shall take their seats at the board the succeeding day, and immediately proceed to elect the president; But for the present year, for the more immediate organization of the business of the company, the election shall be holden on the third Monday in April, under the direction of the commissioners appointed to receive subscriptions in the city of Baltimore.

ARTICLE 4. The board of directors are hereby fully empowered to make, revise, alter or amend, all such rules, orders, by-laws and regulations for the government of the company and that of their officers, servants and affairs, as they or a majority of them, shall from time to time, think expedient; not inconsistent with law or these articles of association; and to use, employ and dispose of, the joint stock, funds or property of the said company (subject only to the restrictions herein after mentioned) as to them, or a majority of them, may seem expedient.

ARTICLE 5. All bills, bonds, notes, and every contract and engagement on behalf of the company, shall be signed by the president and countersigned or attested by the cashier of the company; and the funds of the company shall in no case be held responsible for any contract or engagement whatever, unless the same shall be so signed and countersigned or attested as aforesaid.

ARTICLE 6. The books, papers, correspondence and funds of the company, shall at all times be subject to the inspection of the directors.

ARTICLE 7. The said board of directors shall have power to appoint a cashier, and all other officers and servants for executing the business of the company; and to establish the compensation to be paid to the president and all other officers and servants of the company respectively; all which, together with all other necessary expenses shall be defrayed out of the funds of the company.

ARTICLE 8. A majority of the directors shall have power to call a general meeting of the stockholders for the purposes relative to the concerns of the company, giving at least six weeks notice in two or more newspapers printed in the city of Baltimore, one in Frederick town, one in Hagerstown, one in the city of Annapolis, and one in Easton, and specifying such notice the object or objects of such meeting.

ARTICLE 9. The shares of capital



Stock at any time owned by any individual stockholder, shall be transferable on the books of the company, according to such rules, as conformably to law may be established in that behalf by the board of directors; but all debts actually due or payable to the company, (days of grace for payment being past) by a stockholder, requesting a transfer, must be satisfied before such a transfer shall be made, unless the board of directors shall direct to the contrary.

ARTICLE 10. No transfer of stock in this company shall be considered as binding upon the company, unless made in a book or books to be kept for that purpose by the company. And it is hereby further expressly agreed and declared, that any stockholder who shall transfer in manner aforesaid, all his stock or shares in this company, to any other person or persons whatever, shall, ipso facto, cease to be a member of this company; and that any person or persons whatever, who shall accept a transfer of any stock or share in this company, shall, ipso facto, become and be a member of this company, according to these articles of association.

ARTICLE 11. It is hereby expressly and explicitly declared to be the object and intention of the persons who associate under the style or firm of the President and Directors of the Union Bank of Maryland, that the joint stock or property of the said company, (exclusive of dividends to be made in the manner herein after mentioned) shall alone be responsible for the debts and engagements of the said company; and that no person who shall or may deal with this company, or to whom they shall or may become in any wise indebted, shall, on any pretence whatever, have recourse against the separate property of any present or future member of this company, or against their persons, further than may be necessary to secure the faithful application of the funds thereof to the purposes to which, by these presents, they are liable: But all persons accepting any bond, bill or note, or other contract of this company, signed by the President and countersigned or attested by the cashier of the company, for the time being, or dealing with it in any other manner whatsoever, thereby respectively give credit to the said joint stock or property of the said company, and thereby respectively disavow having recourse, on any pretence whatever to the person or separate property of any present or future member of this company, except as above mentioned. And all suits to be brought against this company, (if any shall be,) shall be brought against the president for the time being, and in case of his death or removal from office, pending any such suit against him, measures shall be taken at the expense of the company, for substituting his successor in office, as a defendant; so that persons having demands upon the company may not be prejudiced or delayed by that event: Or, if the person suing, shall go against the person first named as defendant (notwithstanding his death or removal from office) this company shall take no advantage, by writ of error or otherwise, of such proceeding on that account; and all recoveries had in manner aforesaid, shall be conclusive upon the company, so far as to render the company's said joint stock or property liable thereby, and no further; and the company shall immediately pay the amount of such recovery out of their joint stock, but not otherwise. And in case of any suit at law, the president shall sign his appearance upon the writ, or file common bail thereto; it being expressly understood and declared that all persons, dealing with the said company, agree to these terms, and are to be bound thereby.

ARTICLE 12. Dividends of the profits of the company or of so much of the said profits as shall be deemed expedient and proper, shall be declared half yearly, during the months of June and December, and be paid in the months of July and January in every year; and shall from time to time be determined by a majority of the said directors, at a meeting to be held for that purpose; and shall in no case exceed the amount of the net profits actually acquired by the company; so that the capital stock of the company shall never be impaired by dividends: and at the expiration

of every three years, a dividend of surplus profits shall be made: By the directors shall be at liberty to retain at least one per cent, upon the capital, as a fund for future contingencies.

ARTICLE 13. If the said directors shall, at any time wilfully and knowingly make or declare any dividend which shall impair the said capital stock, all the directors present at the making or declaring such dividend, and consenting thereto, shall be liable in their individual capacities to the company, for the amount or proportion of the said capital stock so divided by said directors; and each director who shall be present at the making or declaring of such dividend, shall be deemed to have consented thereto, unless he shall immediately enter, in writing, his dissent on the minutes of the proceedings of the board, and give public notice to the stockholders that such dividend has been declared.

ARTICLE 14. These articles of agreement shall be published in at least two newspapers printed in the city of Baltimore, one in Frederick-town, one in Hagerstown, one in the city of Annapolis, and one in Easton, for one month; and for the further information of all persons, who may transact business with, or in any manner give credit to, this company, every bond, bill, note or other instrument or contract, by the effect or terms of which the company may be charged or held liable for the payment of money, shall specially declare, in such form as the board of directors shall prescribe, that payment shall be made out of the joint funds of "The United Bank of Maryland," according to the present articles of association, and no otherwise; a copy of the eleventh article of this association, shall be inserted in the bank book of every person depositing money or other valuable property with the company for safe custody; or a printed copy shall be delivered to every such person before any such deposit shall be received from him: And it is hereby expressly declared, that no engagement can be legally made in the name of the same company, unless it contain a limitation or restriction to the effect above recited. And the company hereby expressly disavow all responsibility for any debt or engagement, which may be made in their name, not containing a limitation or restriction to the effect aforesaid.

ARTICLE 15. The company shall in no case be owners of any ships or vessels, or directly or indirectly be concerned in trade or the importation or exportation, purchase or sale of any goods, wares or merchandises whatever (bills of exchange and bullion only excepted) and except such ships, vessels, goods, wares or merchandises, as shall be truly pledged to them by way of security for debts due, owing or growing due to the said company, or purchased by them to secure such debts so due to the said company.

ARTICLE 16. If a vacancy shall at any time happen among the directors, by death, resignation, or otherwise, the residue of the directors, for the time being, shall elect a director to fill the vacancy, if they shall deem it necessary, until the next election of directors.

ARTICLE 17. This association shall continue until the first Monday of July, one thousand eight hundred and twenty five, unless a charter is sooner obtained: But the proprietors of two thirds of the capital stock of the company, may by their concurring votes, at a general meeting, to be called for that express purpose, dissolve the same, at any prior period, provided that notice of such meeting, and of its object, shall be published in two or more newspapers printed in the city of Baltimore, one in Frederick-town, one in Hagerstown, one in the city of Annapolis, and one in Easton, for at least six months previous to the time appointed for such meeting.

ARTICLE 18. The company shall not purchase or hold any lands, tenements or other real estate, other than what may be necessary for the convenient transaction of its business, unless such lands, tenements, and real estates, shall have been, bona fide, mortgaged to the company by way of security, or conveyed to it in satisfaction of debts previously contracted in the course of its dealings or purchased to secure debts contracted with, or due to the said company; and in every instance in which the company may become owners or claimants of lands, tenements,

or real estates, the board of directors are empowered to sell or disposed of the same in such manner as they may deem beneficial for the company.

ARTICLE 19. A number of stockholders, not less than fifty, who together shall be proprietors of one thousand shares, may for any purpose relative to the institution at any time, apply to the president and directors to call a general meeting of the stockholders; and if by them refused, the said number of stockholders, proprietors of not less than that number of shares, shall have power to call a general meeting of the stockholders, giving at least sixty days notice in two public newspapers in the place where the bank is kept, specifying in such notice the object or objects of such call.

ARTICLE 20. Immediately on the dissolution of this association effectual measures shall be taken by the directors then existing, for closing all the concerns of the company, and for dividing the capital and profits which may remain among the stockholders, in proportion to their respective interests.

In witness whereof we have hereunto set our names, or firms, the day of April, in the year of our Lord one thousand eight hundred and four.

The editors of the Maryland Gazette, at Annapolis; of the Frederick town Herald and Republican Gazette, at Frederick town, of the Republican Star and Eastern Shore Herald, at Easton; and of the two newspapers at Hagerstown, are desired to publish the above articles of association one month, in their respective papers, and transmit their accounts to the commissioners of the Union Bank of Maryland, at Baltimore.  
February 24, 1804.

IN CHANCERY, March 24, 1804.

ON application to the Chancellor by petition in writing of Samuel Nicols, stating that he is an Insolvent Debtor, and praying the benefit of the "Act for the relief of sundry insolvent debtors," and a schedule of his property and a list of his creditors, on oath, being annexed to his petition, and the Chancellor being satisfied by competent testimony, that the said Samuel Nicols had resided in the state of Maryland the two last years preceding the passage of the said act.—It is thereupon adjudged and ordered, that the said Samuel Nicols, by causing a copy of this order to be inserted three weeks in Cowan's newspaper, at Easton, before the twentieth day of April next, give notice to his creditors to appear in the Chancery Office, at ten o'clock, on the tenth day of May next, for the purpose of recommending a Trustee for their benefit, on the said Samuel Nicols then and there taking the oath by the said act required, for delivering up his property for the benefit of his creditors. True Copy.

SAMUEL H. HOWARD,  
15 Reg. Cur. Can.

IN CHANCERY, March 20, 1804.

ANDREW HALL, an Insolvent Debtor, of Caroline county, having heretofore applied by petition in writing to the Chancellor, praying the benefit of "an Act for the relief of sundry insolvent debtors," passed at the last session of the General Assembly, and a schedule of his property, and a list of his creditors, on oath, as by the said act required, being annexed to the said petition, and the said Andrew Hall having proved to the satisfaction of the Chancellor, that he had resided in the state of Maryland the two last years preceding the passage of the said act—and having been brought before the Chancellor and discharged from imprisonment on taking the oath by the said act required.—It is thereupon adjudged and ordered that the said Andrew Hall appear before the Chancellor, in the Chancery Office, on the thirteenth day of July next, to answer such interrogatories as may be proposed to him by his creditors, that the said day be, and it is hereby appointed the time for the said creditors to appear and recommend a Trustee for their benefit, and that the said Andrew Hall give them notice of the passage of this order, by causing a copy of it to be inserted in Cowan's newspaper three times before the twelfth day of April next. True Copy.

SAMUEL H. HOWARD,  
15 Reg. Cur. Can.

JUST RECEIVED,  
And is now for Sale at this Office,  
[PRICE 31 CENTS.]  
AN EXAMINATION  
Of the various charges exhibited against  
**Aaron Burr, Esq.**  
Vice President of the United States, and a  
development of the characters and  
writings of his  
POLITICAL OPPONENTS.

BY ARISTIDES.  
THIS is to give notice, that the subscriber, who is the administrator de bonis non of JAMES TILGHMAN, Esquire, late of Talbot county, deceased, will on the First Monday in September next, in the year of our Lord eighteen hundred and four, at his store house in Easton, in Talbot county, and state of Maryland, proceed to make an additional dividend of the personal estate of the said deceased amongst his creditors.—All persons therefore having claims against the said deceased, are hereby warned to attend at the store house aforesaid, on the day aforesaid, and then and there to exhibit the said claims, with the vouchers thereof, to the subscriber, for the purpose of receiving from him their respective dividends, they may otherwise by law be excluded from all benefit of the said personal estate now in the hands of the said subscriber.—Given under my hand this 20th day of February, in the year aforesaid.  
OWEN KENNARD.  
11 3w&tf.

FOR SALE.  
THE subscriber offers the Ground lying on Harrison Street, from the Old Market House up to the street opposite to Mr. Hammond's, on a credit of one, two and three years.  
This property, from its central situation, is as valuable as any now offered for sale in the town of Easton.—And if the purchaser is disposed to let it out on a ground rent, he may immediately clear 25 per cent. on the terms that will be offered by  
ROBERT LLD. NICOLS.  
March 4, 1804. 12 8w&c.

## The following very excellent BOOKS

are for sale at this Office.

Elegant Extracts in prose & verse	The Life of Lorenzo de' Medici, 3 vols. 8vo.
Pope's Homer	School for Children
Hayley's Works	No Cross no Crown
Sandford & Meriton	Blair's Sermons
Zimmerman on Solitude	Wesley's Sermons
Boswell's Life of Johnson	Crisp's Sermons
Cowper's Poems	Bibles
Romance of the Forest	Psalms of David
Forde's Addresses	The book of common Prayer
The Looking-Glass for the mind, or the juvenile Friend	Rippon's Hymns
The Girl of the Mountains	Sacramental Meditations
Tom Jones	Plasters
Franklin's Works	Self Knowledge
Edwards on Affections	Sheridan's Dictionary
The Doubtful Marriage	Entic's Dictionary
Count Roderic's Castle	Ainsworth's Latin Dictionary
Man of the World	Introduction to Latin Grammar
Charlotte Temple	Virgili Maronis Opera
Scott's Lessons	Virgil Delphin
Paul & Virginia	Juvenalis Delphin
Buchan's Domestic Medicine	Terentii
Taplin's Farriery	Ovidii Nasonis
Gibson's Survey	The American Tutor's Assistant
Whole Duty of Man	Ready Reckoner
Raffelas, Prince of Abyssinia	Spelling Books
The Children's Friend	Primer
Baltimore Magazine	Blank Books
Gustavus Vassa	Sealing Wax, Waxes, Ink Stands, and Ink Powder
Tellamed, or the world explained	Copies for writing in in Schools
Guthrie's Grammar	The Black Bird, or Songster, together with various small treatises adapted to the juvenile mind
Walker's Gazetteer	Pen knives, &c.

—ALSO—  
All kinds of BLANKS may be had on the shortest notice.  
Easton, December 13, 1803.



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# Eastern Shore

# Intelligencer.

EASTON: (MARYLAND,) Published every Tuesday Morning, by JAMES COWAN.

[VOL. XIVth.]

TUESDAY MORNING, APRIL 10, 1804.

[NO. 717.]

*The answer of Alexander James Dallas to the interrogatories, exhibited upon the inquiry into the official conduct of Samuel Chase, and Richard Peters, Esquires, now depending in the House of Representatives of the Congress of the United States.*

I, Alexander James Dallas, being duly sworn, in answer to all and every of the interrogatories above mentioned, do depose and say,

That I was present, as herein after mentioned, at the trials of John Fries, on a charge for treason, in the circuit court of the United States, for the district of Pennsylvania, in the years 1799 and 1800.

That the first trial took place in May 1799, before Mr. Iredell, an associate judge of the supreme court of the United States, and Mr. Peters, the district judge. Mr. Lewis, Mr. W. Ewing, and myself, were counsel for the prisoner; and, in that character, we freely delivered to the jury, every argument, in point of fact, and of law, which we thought proper. The trial was conducted by the court, the jury, and the gentlemen, who sustained the prosecution, (Mr. Rawle, the district attorney, and Mr. Sirgreaves) with the greatest candour, impartiality, humanity and patience, during a period of

days. The prisoner was, however, convicted by the verdict of the jury; but, on a motion made by Mr. Lewis and myself, a new trial was granted; principally, I believe, on the ground, that one of the jurors, after he was summoned, and before he was sworn, had made declarations, manifesting a prejudication of the case, unfavourable to the northern rioters in general, and in particular to Fries.

That the circuit court was held at Norristown, in October, 1799, (the yellow fever then raging in Philadelphia) by Mr. Washington, an associate judge of the supreme court of the United States, and Mr. Peters, the district judge of Pennsylvania; when Mr. Lewis and myself again attended, as the counsel of Fries. But some circumstances occurred (which I have never heard authoritatively explained) that induced the court to postpone the trial of Fries, and other prisoners, until the next term.

That the second trial of Fries took place in the term commencing in April, 1800, before Mr. Chase, one of the associate judges of the supreme court of the United States, and Mr. Peters, district judge of Pennsylvania. At the instance of the prisoner, Mr. Lewis and myself were assigned by the court, as his counsel; and Mr. Ingersoll attended, with a view to assist Mr. Rawle, the district attorney, in support of the prosecution. On the day appointed for the trial, I entered the court room, some time after the court had been opened, and observed an unusual agitation among the gentlemen of the bar. Fries was then standing in the prisoner's box; the jurors summoned in the general pannel, appeared to be attending in the jury boxes, and other parts of the hall; and there was a considerable number of citizens assembled as auditors. My attention was immediately attracted, by the eagerness of a conversation, in which Mr. Lewis and Mr. Edward Tilghman were engaged; but as soon as Mr. Lewis saw me enter, he hastened towards me, out of the bar, and stated, in substance, "that, after the court was opened, Mr. Chase had delivered a paper to the clerk, which he said contained the

opinion of the court, on the law of treason; with a declaration, that a copy should be given to the district attorney; another copy should be given to the prisoner's counsel; and a third copy should be delivered to the jury, as soon as the opening for the prosecution was finished; that Mr. Chase had made some remarks, condemning the arguments and authorities produced on a former trial; and that he had concluded with expressing an intention to prevent a recurrence to any common law authorities, or to any other authorities prior to the English revolution." Upon a brief exchange of our sentiments, relative to this proceeding, Mr. Lewis and myself considered it as unprecedented, and improper; as injurious to the prisoner; and as an invasion of the rights and independence of the profession; and, therefore, we determined to decline taking any part in the defence. In a recent conversation with Mr. Lewis, he suggests to me, that he does not recollect that we formed the determination to withdraw at that time; but thinks we determined, that we would insist upon our right to address the jury, in a criminal and a capital case, both upon the law and the fact, Mr. Chase having said, that on the law, the counsel must address the court alone, and not the jury.

The impression upon my memory, however, remains as I have stated it; corroborated, I conceive, by the letter which we afterwards wrote to Mr. Lee, the attorney general, and other circumstances. Mr. Lewis and myself then went, together, into the bar; and being asked by the court, whether the counsel for the prisoner were prepared to proceed, Mr. Lewis answered, in substance; "that there was no question, as to the facts involved in the case, but only as to the law arising from the facts; and since the court had undertaken to predetermine the law, and to announce their opinion, he could not flatter himself with being able to change that opinion; no service could, therefore, be rendered to the prisoner; and he was not willing to enter upon a hopeless defence, under circumstances so degrading to the profession." I do not recollect any allusion at this time, to the right of the counsel to address the jury, both on the law and facts, in a capital case, though Mr. Lewis in the recent conversation to which I have already alluded, suggested that idea, as the principal source of the first day's altercation, between the bench and the bar. In the sentiments which he then expressed, however, I declared my concurrence. The agitation of the gentlemen of the bar continued, or rather increased. Mr. Edward Tilghman, in particular, made several observations, calculated to induce us to persist, & advised us not even to look at the paper which Mr. Chase had delivered to the clerk. When Mr. Lewis and myself entered the bar, I noticed Mr. Chase and Mr. Peters in conversation on the bench; and after we had declined proceeding, I heard Mr. Peters say to Mr. Chase, "I told you what would be the consequence: I knew they would take the stud;" or other words to the same effect. Mr. Peters appeared to be dissatisfied, or uneasy; and endeavoured to persuade us to resume the defence, saying, at that time, I think, as well as on the next day, "that for his part he did not care what range the counsel took, either on the law or on the fact." Under these circumstan-

ces, Mr. Rawle, the district attorney, moved for a postponement of the trial; Fries was remanded to prison; and the court was adjourned.

That sometime afterwards in the course of the same day, I met Mr. Peters in the street, and he gave me in substance, the following statement: "That Mr. Chase had prepared an opinion, on the law of treason, which he submitted to Mr. Peters for consideration, before the time of trial; that although Mr. Peters agreed in the opinion, yet Mr. Chase had never suggested, nor did Mr. Peters conceive that it was to be made public, except by way of charge from the court, after the evidence and arguments on both sides were closed; that when Mr. Chase delivered the paper to the clerk, Mr. Peters had been called to the end of the bench by a witness, and was surprised, on enquiry to find what had happened; and that he then predicted to Mr. Chase the consequence which ensued." Mr. Peters told me, I think, at the same time, that the paper had been withdrawn, and that measures were taken to prevent the circulation of copies of it. I never read, or saw, the paper itself; nor, indeed any copy of it, until a few days ago, when Mr. William S. Biddle shewed me a copy, which he said he had taken from the original, while it was in the hands either of the clerk, or the district attorney, with whom he was at that time a student.

That on the next day the court being opened; the prisoner being placed in the criminal's box; the jury and the auditors attended as before; Mr. Chase again asked whether the counsel for the prisoner were ready to proceed in the defence? And Mr. Lewis and myself answered, that we did not deem ourselves any longer the counsel of Fries. Either at this time, or, as I thought when first recurring to my memory for the facts, on the preceding day (and I cannot now say positively which) I repeated, in an address to the court, the circumstances which had been communicated to me by Mr. Lewis, and added some general remarks upon the relative duties, rights, and responsibility of the judge, and of the counsel, with a view to vindicate our conduct on the present occasion. Mr. Peters then stated, in substance, "that the paper in question was withdrawn; and that, for his own part, he was willing to hear every thing that could be said on the occasion;" adding some expressions of a conciliatory nature. Mr. Chase also said, "the paper is withdrawn, and the counsel may be heard in opposition to the opinion of the court, at the hazard of their characters," or words of similar import. Here, I believe, it was that Mr. Chase added that in arguing upon the law, the counsel must address the court alone, and not the jury, but I well recollect, on reflection, that at some period of the transaction such an expression fell from the judge. Mr. Lewis thereupon observed to Mr. Chase, in substance, "you may withdraw the paper, but will that remove the bias which exist in your own mind, or obliterate the impression, that has been made by a public declaration of your opinion, upon the minds of the audience, a part of whom must compose the jury, for the trial of the prisoner? Here, I also believe, Mr. Lewis, by way of answer to Mr. Chase's declaration, insisted upon the right of counsel to address the jury, both on the law

and the fact, in a capital case. Mr. Peters repeated his wish, that what had passed, might be overlooked, or forgotten; and Mr. Chase (making a remark about the counsel being mistaken, if they thought to embarrass him, couched in words that I do not recollect) asked Fries whether it was his desire that other counsel should be assigned? Fries answered in the negative; on which I think, he was remanded to jail, and the trial was ordered for the ensuing morning. On the next day the trial accordingly took place; the prisoner had no counsel for his defence; the prosecution was conducted by Mr. Rawle alone, Mr. Ingersoll having withdrawn, as I understand, in consequence of the prisoner's peculiar situation; the jury returned a verdict of guilty; and the court pronounced sentence of death. I only attended occasionally in court during the trial; and cannot recollect any other material facts relating to it, within the scope of the interrogatories.

That shortly after the sentence of death had been pronounced upon Fries Mr. Charles Lee, then the attorney general of the United States, mentioned to me in court, "that the case of the prisoner was before the President; that all the information was wished, which could assist in making a proper decision upon a claim for mercy and pardon; and that he, therefore desired to know, whether I had any objection to communicate the grounds on which the counsel intended to have enforced the defence." I answered, that I had personally no objection; but that it was proper to consult Mr. Lewis, and found that Mr. Lee had made a similar application to him; on which it was agreed, that from motives of respect to the application, as well as of humanity to the prisoner, we would furnish a statement of our arguments and authorities. I do not think, however, that Mr. Lee, on this occasion declared, that he had applied to us, by direction of the President; though I afterwards inferred that fact, from the expressions in Mr. Lee's letter, acknowledging the receipt of the statement.

That having waited for some time in hopes of receiving the draft of the statement from Mr. Lewis, I reminded him of the urgency of the case (in consequence of the approach of the day for the execution of Fries) and received the answer contained in a letter of which a true copy is annexed, marked A. Upon this answer, I prepared a communication for Mr. Lee, which being submitted to Mr. Lewis, and some alterations and additions being made in the manuscript, was fairly transcribed at his office; and he returned the original draft, together with the fair transcript, signed by him in a letter, of which a true copy is annexed marked B. I added my signature to the fair transcript which Mr. Lewis had subscribed, and immediately sent it to Mr. Lee, in the terms and form, of which a true copy is annexed, marked C. and on the same day Mr. Lee transmitted the acknowledgment marked D.

I must be permitted to add, that in the course of my narrative, I have endeavoured to state with fidelity, all the facts; but still, it is possible, that I may have erred, in the attempt to place them in the proper order of time; and do not pretend to be more than substantially correct, in the recital of the language, which was used



upon this occasion, by any of the persons to whom I have referred. I may be permitted likewise to discharge a duty to the counsel, as well as to all the parties interested, in observing that Mr. Lewis & myself were greatly influenced in the conduct which we pursued, by our opinion of the means most likely to save the life of Fries, under all the circumstances of his case. After the first days altercation, we consulted him on the expediency of preserving in the surrender of his defence; and if he or friends, had expressed the wish, we should certainly have resumed the task. Even in that event, however, I do not suppose, that we should have yielded the right to cite all the authorities which we thought apposite to the subject in discussion; nor the right, in a capital case, to address the jury, both on the law and the fact. But the exercise of those rights of counsel, could not, in any degree, impair or affect the undoubted right of the court, to deliver their opinion on the law, in charge to the jury, in opposition to the authorities adduced, or the reasoning employed.

That I do not sufficiently remember the facts relative to Thomas Cooper's trial, to justify my entering into any detail, Mr. Caldwell the clerk of the court, told me, that in consequence of directions from Mr. Chase he had refused to issue a subpoena, on Mr. Cooper's application, out of court, the evening before the day appointed for the trial, the subpoena being for Mr. Adams, then president of the United States, to attend as a witness. The question of the subpoena was mentioned in the court, on the day appointed for the trial; and I think the court refused to award it, on the ground that Mr. Adams's testimony, if he were present, could not be expected to inculpate himself.

(A.)  
Sunday afternoon.

SIR, When your letter of yesterday came to my house, I was not at home, and I did not return until it was too late in the evening to send an answer, at that time, although I immediately wrote one. At an early hour this morning, I left town, without recollecting to give directions, as I had intended, for sending it to you, and this must be my apology, for a seeming neglect, which I assure you was not intended.

We must in my opinion, in justice to poor Fries, as well as to ourselves, and more especially as it has been requested, state the heads of our intended arguments, with our reasons briefly, but strongly expressed, together with our authorities for believing that the case did not amount to treason. I think we must, also give our reasons for believing that the trial was not in the proper county: for to me, it appears, that none of the reasons urged against us, on any former occasion, apply on the present occasion: and I also think, that if we are not right, in urging this, on the present occasion, the clause providing for the trial in the proper county, &c. neither is, nor even can on any future occasion be, of the least avail. But we ought, I think, above all things, to rely on the separating of the jury, in a capital case, being a sufficient ground to vitiate the verdict. I also think, that it will not be amiss for us to state, in decent, but manly terms, our reasons for declining any interference in the trial. If you concur in these sentiments, do inform me, that we may prepare our statement, as soon as possible, and every communication between us, that may be likely to render service to poor Fries, will be very agreeable to

Your most humble servant  
W. LEWIS.

Copy. A. J. Dallas

(B.)

May 19th 1800.

SIR, The alterations which I had to propose in the letter prepared by you, for the Attorney General, were so few and light, that I have ventured to make them, without first consulting you.

If you approve of the letter in its present form, be pleased, after signing it, to send it to the Attorney General.

I am, Sir,

Your most humble servant,  
W. LEWIS.

Copy. A. J. DALLAS.  
A. J. Dallas, Esq.

(D.)  
Attorney General's Office, 19th May 1800.  
GENTLEMEN,  
I was no sooner favoured with your communication, of this date, respecting the case of Fries, than I laid it before the President; who has directed me to return you his thanks, for the trouble which you were so obliging as to take.

I am very respectfully,  
Gentlemen,

Your most obedient humble servant,  
CHARLES LEE.

To William Lewis and Alexander J. Dallas, Esquires.

Copy. A. J. Dallas.

INDEPENDENCE OF ST. DOMINGO.

LIBERTY OR DEATH.

ARMY INDIGENOUS.

This day, the first day of January, 1804, the general in chief of the army convoked for the purpose of taking the necessary measures for establishing the happiness of the country, having made known to the generals assembled his true sentiments, to assure forever to the indigenous of Hayti a permanent government, the object of his most lively solicitude, and which he has done in a discourse tending to convey to foreign powers his resolution, to render the country independent, and to secure to it the enjoyment of a liberty consecrated by the blood of the people of this island; and after having collected the opinion of each, demanded that every one of the generals present, should take the oath to renounce France for ever, to die rather than to live under its domination, and to combat with the last breath for independence. The generals animated with these sacred principles, and having given their unanimous concurrence to the well-devised project of independence, have all sworn to posterity, and to the whole universe to renounce forever the authority of France, and to die rather than live under its domination. Done at Gonaives the first day of the independence of Hayti, first January, 1804. [Here follow the signatures of Dessalines, Clerveaux, Christophe, Petion, Giffard, Vernet, Gebarr, (Divisionary Generals) P. Romain, J. Capois, &c. &c.]

In the name of the people of Hayti. We, generals and chiefs of the armies of the Isle of Hayti, penetrated with the knowledge of the good services which we have experienced from the General in Chief, John James Dessalines, the protector of the liberty which is enjoyed by the people, in the name of that liberty, in the name of Independence and in the name of the people, whom he has rendered happy.

We proclaim him Governor General of Hayti for life, and we promise to pay implicit obedience to the laws issued under his authority, the only one which we shall ever acknowledge, we give him the right to proclaim war, to make peace, and to nominate his successor. Done at head quarters at Gonaives, the first of January, 1804, first day of the independence of Hayti.—Signed, &c. (as above.)

THE HERALD.

EASTON,

TUESDAY MORNING, April 10.

The Editor of the Herald very respectfully solicits the attention of his patrons to their several arrearages which appear to be due for the paper, advertisements, &c.

The Congress of the United States adjourned on Tuesday the 27th ultimo, after passing sixty one acts.

It is said that an alliance offensive, and defensive has taken place between England and Russia; and that Russia, Denmark, and Sweden, have conspired with France against Great Britain.

Accounts from Liverpool say, that his Majesty, the King of England, was in a state of convalescence.

The Prince of Wales received great assistance from the counsels of Lord Thurlow and Mr. Sheridan.

Rumours in England of an invasion thicken every day.

It is said that the French Fleet has

escaped from Toulon, and that Lord Nelson is in pursuit of it.

Sir Sidney Smith, it is also said, has fallen in with a fleet of Dutch and French gun-boats, of which he has taken 15 and destroyed 30.

On the 30th ultimo a severe hurricane took place at the city of Philadelphia, attended with severe lightning and thunder—Some of the shipping were materially injured.

Deaths in Philadelphia, from the 24th to the 31st ultimo—Adults 26—Children 11—Total 37.

Judges Shippen, Yeates and Smith, of Pennsylvania, are impeached.

A most conspicuous victory has been obtained by General Wellesley over the hosts of Daulat Row Scindia, in India.

By a letter from New Orleans of the 26th Feb. we learn that the French and Spaniards there are ripe for a rebellion—almost every day and night it is said they are robbing and murdering.

DIED a few days past Francis Sellers, Esq. of Caroline county.

A young lady in England was, a short time past, completely recovered from a consumption by drinking tea made of camomile flowers gathered in the morning when the dew was on. The hint was taken from observing a sick dog proceed to the camomile bed each morning and lick the dew.

To the Editors of the Federal Gazette.

GENTLEMEN,

AS soon as there appeared reason for believing that the house of representatives intended to adjourn, without preferring articles before the senate, in support of the impeachment voted against me, the inclosed memorial was prepared, and transmitted (on Saturday last) to a member, with a request, that he would present it, if such an intention should be ascertained to exist. On last Monday, the morning of the day previously fixed for adjournment by a joint resolution of both houses, articles of impeachment were reported by the committee; but it was clearly impossible for the house to act upon them; nor does the time until which they were kept back, leave the least room for supposing, that the committee, who made the report, intended that they should be acted upon before adjournment.

But whatever may have been the intention with which they were reported at such a time, the effect undoubtedly will be, that they will pass into the public prints, under the sanction of a committee of congress, and even under the apparent sanction of the house itself; and that as they contain the most aggravated and inflamed construction, which it was possible for passion and party spirit to put on the exparte evidence, whereon the vote of impeachment was founded, they will become a very powerful engine in the hands of calumniators and party zealots, for heightening to the utmost the prejudices and odium which all the former proceedings in this case are so well calculated to excite.

The report of these articles prevented the memorial from being presented; the member to whom it was sent having been of opinion, that the case, in which it was my wish to have it presented, did no longer exist. But as these articles have not been adopted by the house, or even considered; as they must be taken up at next session, and may then be rejected, or wholly varied; as the charges which I am to answer, and against which I ought to have been placed in a situation to prepare for defending myself, are thus left in the same state of uncertainty as before the report; and as this report, far from accomplishing the object which the memorial seeks, can have no other effect than to increase and aggravate the injuries whereof it complains; I deem it proper now to make it public, as an appeal to my country, to the world, and to posterity, against the injustice and illegality of the proceedings in this case, and as a solemn protest against the principles on which they are founded. I therefore request that you will please to insert it, with this letter, in your useful and respectable paper.

That it may be seen that my impression of the articles reported by the committee is not erroneous, I enclose a copy of them, and request that you will insert them after the memorial. It is proper to state that four (I be-

lieve) of the five members of the committee, who reported the articles, were the same members who collected and reported the testimony; and that fourteen days elapsed between the time when this committee was ordered to report articles, and the time when the report was actually made. This fact will assist in forming a judgment, as to the views, with which it was kept back until the last day of the session. Had the report been made sooner, as it might easily have been, the articles might have been rejected by the house; or might at least have been deprived, by amendments, of part of their wanton venom and abuse.

I am, gentlemen,

Your obedient servant,

SAMUEL CHASE.

Baltimore, March 29, 1804.

Judge Chase requests the editors of all the newspapers in the United States to insert his letter and memorial, and the articles of impeachment reported by the committee.

To the Hon. the HOUSE of REPRESENTATIVES of the UNITED STATES. The Memorial of Samuel Chase, one of the associate justices of the supreme court of the United States.

WITH the respect due to a branch of the government of his country; but with the frankness which conscious and injured innocence has a right to assume, and which an early, zealous, and constant supporter of American liberty ought to use; your memorialist approaches your honorable body, to lay his complaints at your feet, and to call on your justice for redress.

He has delayed this step until so late a period of the session, because he still indulged the hope, that your honorable body would not adjourn, without reducing the charges against him to some specific form; so that he might be enabled to know of what he is accused, and to direct his attention immediately to the means necessary for proving his innocence, and vindicating his character. But finding, at last, that an adjournment is about to take place, without any thing of this kind being done; that a vote of impeachment, resting on no precise or specific charges or facts, and supported only by ex parte testimony, is about to be left hanging, for a whole year, over his head; and that the publication of this testimony is permitted, in such a way as to render it most injurious to his reputation, without leaving to him the possibility of combating it by counterproof: his duty to that character, which he has supported unimpeached during a period of forty years, through all the troubles, difficulties, and dangers of the American revolution; to his family, whose happiness, respectability, and establishment in life, are materially implicated in whatever concerns his good name; to his country, which has honored him with many high and important trusts; to his office, which requires a reputation not only unspotted but unsuspected; and to himself—for bids him to remain longer in silence.

He therefore respectfully solicits and intreats, that your honorable body will not suffer an adjournment to take place, until articles of impeachment shall have been preferred against him.—Thus, although an immediate trial, which his feelings would lead him to prefer, may not be possible at this protracted period of the session, still he will be enabled, knowing the precise charges against him, to make vigorous, speedy and effectual preparations for his defence, to repel the malignant calumnies by which he is industriously and unceasingly assailed, and fully to vindicate that innocence, for which he solemnly appeals to the Almighty Searcher of hearts, to the testimony of his own conscience, to his country, and to an impartial posterity. He is far from arrogating to himself an exemption from the usual portion of human frailty: But for the purity of his intentions, for the uprightness of his conduct, and for the faithful and conscientious discharge of his official duties, on all occasions, according to the best lights of his understanding; he confidently appeals to that dread Tribunal where he and his accusers must one day appear, where the inmost recesses of all hearts shall be laid open, the most hidden motives of conduct shall be revealed, and calumny, malice, and party-rage, shall forever be put to silence.



He is the more strongly induced to urge this request, and to express his earnest hope that it will not be refused, by those reflections which it has not been in his power to avoid making, on the course hitherto pursued in this prosecution.

That charges so weighty as to render a judge of the supreme court a fit object of impeachment for high crimes and misdemeanors, should have been suffered to rest in oblivion for four years; although they are founded on facts perfectly notorious in their nature, and perfectly well known to the persons who, after so great a lapse of time, have at length made them the ground of a prosecution the most solemn known to our laws; that this prosecution, so long delayed, should be commenced precisely at the moment when a political change supposed by many, though he hopes unjustly, to be favorable to its success, had taken place: are circumstances but little calculated to impart confidence to the heart of innocence, or to quiet those alarms which she may feel when opposed to uncontrolled power.

Nor is the manner of commencing this prosecution, more consoling than the time. A formal enquiry into the official conduct of a judge, must always be to him a matter of very serious moment. It must always expose him to very great uneasiness and may render him obnoxious to the most unjust and injurious suspicions. It is wholly inconsistent with the humane and just principles of our laws, to subject a citizen to evils of this kind, without some specific accusation, resting on facts precisely stated, and supported by such proof on oath, as renders their existence at least probable. No man, however mean his condition, or however infamous his character, can be bound over to undergo the enquiry of a grand jury, without such an accusation, and such proof. A grand jury cannot listen to any accusation against a man, nor enquire into his conduct, much less put him upon his trial by finding a presentment against him, unless such an accusation is supported by first adduced; and the person maliciously instigating the enquiry, is liable, in case it should be rejected, to a suit for reparation by the accused party. All these just and humane provisions are established by our laws, for the protection of innocence, not merely from punishment, but also from unfounded and vexatious enquiry. Every principle of reason, of justice, of law, and every precedent, that deserves or has received the weight of authority, concur in requiring the full application of these provisions to the case of impeachment.

And yet in this prosecution all these provisions have been completely disregarded. An enquiry has been instituted, of the most serious import to the party accused, on the mere suggestion of a member in his place, unsupported by oath, or by any specific statement of facts, which if supported by oath would have justified an enquiry. This enquiry, thus instituted in a manner the most unprecedented and alarming, far from being confined to any specific charge or fact, is extended to the whole official conduct of a judge, who has been above eight years in office, and authorizes the most minute inquisition of his most unguarded and most inconsiderable words and actions, throughout the whole period. It cannot escape your honorable body, how formidable an engine of oppression such an enquiry must be, in the hands of persons disposed to abuse it. Your memorialist is far from insinuating that such has been the case in the present instance. This insinuation he could not make, or even suspect to be well founded, without derogating from the respect that ought to be inspired by so elevated a body: but the soundness of principles is in no manner so well tested as by the consequences to which they lead. And although it cannot be suspected that this honorable body is under the influence of party-spirit, party-views, or individual malice, yet it is a melancholy truth that free governments are liable to the influence of party-spirit, and that when this fatal passion takes full possession of the mind, it completely stifles every sentiment of justice and humanity, all regard for law and right. Should the time ever arrive, which God avert! when a majority of congress, inflamed by party-spirit, and seeking the de-

struction of its opponents, shall desire to criminate a judge, in order to heap odium on the party with which he is connected; when a president, at the head of this majority and guiding its passions, shall desire, from motives of private resentment, the ruin of any judge; when the schemes of the dominant party, or of its leaders, may require the removal of all firm, upright and independent judges, and the substitution of others more complying or more timid; when the necessities of a favourite partizan may require the removal of a judge, in order to create a vacancy in office; should such a disastrous period ever arrive, as the history of other free governments informs us it may, in what manner will the devoted victim, however innocent, be able to shield himself against the thrusts of such a weapon, as this species of enquiry, instituted in such a manner and on such principles, cannot fail to furnish? Your memorialist trembles for the honor of his country, and for the success of republican government in this her last and fairest experiment, much more than for his own safety, when he reflects on the excesses that under such a cloak may be committed.

Does the manner in which this enquiry has been conducted, present any considerations calculated to remove or diminish the alarm excited by its commencement? Far otherwise! A great mass of testimony has been taken, which though calculated to affect your memorialist in the most material manner, he has had no opportunity of confronting, cross-examining or explaining. This testimony, in the taking of which some individuals were allowed to indulge themselves in the most rancorous invectives against your memorialist, and to cloath with the formalities and sanction of an oath, the malicious effusions of their unprovoked and implacable resentment; this testimony, thus tarnished with the deep stain of partiality, hatred and revenge, was printed piece-meal, in the progress of the enquiry, and though not immediately published, was placed in a condition to be extensively circulated, and thus to be employed as a mean of deeply wounding the reputation of your memorialist, of exciting universal odium against him, and of preparing the way for a certain condemnation, when a clamor shall have been excited, strong enough to drown the voice of reason, truth and justice.

Your memorialist by no means wishes to be understood as insinuating that such was the intention wherewith this step was taken, his respect for the body by which it was authorized, forbids him to harbor such a suspicion. But such may be the effect, and such it must be, in his apprehension, unless your honorable body, by preferring specific charges against him immediately, shall enable him to prepare speedily and efficaciously for justifying his conduct and defending his character, against the unjust and wanton aspersions with which this testimony abounds.

The recent publication of this testimony, in a Gazette understood to be the official organ of the government, and thence communicating an official character and sanction to whatever of this nature appears in it, is a circumstance calculated to increase, in a very great degree, the mischievous effects of the testimony itself, and renders still more important the measure which your memorialist so earnestly solicits. From this Gazette, the publication will pass into others; and thus the most virulent misrepresentations of his conduct, and slanders on his character, sanctioned too in some degree, by the vote of impeachment, will be spread throughout the United States; and will even extend to foreign countries; while the opportunity of refuting them, must, of necessity, be delayed for a considerable time, and, if articles of impeachment are not immediately exhibited, may be postponed to a very distant period.

He is still more strongly impressed with the necessity of demanding, as a sacred right, this immediate exhibition of articles, when he reflects on the manner in which the impeachment was voted. It is in vain that he has looked, in this vote and in the report of the committee on which it is founded, for a statement of even a hint of the offences with which he stands charged. He is impeached of "high crimes and misdemeanors;" but in what these

high crimes and misdemeanors consist when, how and where they were committed, is nowhere declared. This testimony collected by the committee, does indeed state a variety of facts, which may constitute the grounds of accusation. The principles of justice and law, and the uniform course of practice, united in requiring, that each of these facts, or each that it is intended to rely on, should be put by the committee into the form of a specific charge, and made the subject of a distinct resolution. The sense of the house would then have been expressed on every charge, separately, and each would have been supported or rejected according to the opinion, entertained by the majority respecting its truth and its sufficiency. Your memorialist would then have known, even without articles, what it is, of which he stands accused, and to what points to direct his preparations for defence. His family, his friends, his country, and the world, would have known what it is that has been called, "high crimes and misdemeanors;" and would have been enabled to judge how far the accusation is supported by the facts, and the facts by the proof.

There is another point of view in which your memorialist deems it his sacred duty, a duty to his country more than to himself, a duty which no consideration shall prevent him from performing, to enter his most solemn protest against this part of the proceeding. His protest may not now be heard. The passions and prejudices of the moment may drown his voice. But it will one day be heard and seriously listened to. The American people will hear it, posterity will hear it—the lovers of liberty, in every age and country, will unite in asserting the justice of his complaint.

He complains that by the method pursued in voting this impeachment a majority has been obtained in favour of the general vote, while it is possible and even probable, that there is not a majority in favor of any one of the separate charges on which the vote is founded. The accusations against him, so far as can be collected from the testimony and from the speeches of members, are very various. Let it be supposed that four charges are chiefly relied on, viz: the trial of Fries the trial of Callender, the proceedings at New Castle, and the charge to the grand jury in Baltimore. It is perfectly manifest that these charges are wholly distinct, and cannot support or strengthen each other. Each is a misdemeanor in itself, or it is not. Therefore there ought to be a majority in favor of each separately, before it can be made the ground of impeachment.

Let it then be supposed, which is not only possible but highly probable that thirty members and no more, considered the conduct of your memorialist in the trial of Fries, as a proper ground of impeachment. In that case it is manifest that your memorialist ought not to be impeached on that charge, there not being a majority in favor of it. In like manner there may have been but thirty members in favor of impeaching him, on account of Callender's trial; and so of the other two charges. Thus although there might be but thirty members in favor of impeaching, on any one of the four charges, in which case it is manifest that there ought to be no impeachment, yet, when all the charges are blended into general question, every member who considers any one charge as a proper ground of impeachment, and all the others as not proper grounds, must vote in the affirmative; and thus there will appear a great majority in favor of a measure, which is actually disapproved by a great majority. This is an innovation so striking, so alarming, so repugnant to all former practice and to all ideas of justice and law, that it may be safely pronounced to furnish, especially when combined with the principle of indefinite enquiry without previous specific allegations, and of ex parte testimony, the most formidable, the most irresistible engine of oppression, under the forms of law, that ever was placed in the hands of power; and if the time should ever arrive, which Heaven in its mercy avert! when this engine shall be wielded under the direction of party-spirit, or of popular passion instigated by personal malice or sinister policy, dreadful indeed will be condition of those whom

it may be the object of the moment to destroy.

Against an accusation thus prepared and thus preferred, it behoves your memorialist to make the earliest and the most efficacious preparations for defending his character and asserting his innocence. While the accusation rests in its present vague state, he knows not to what points to direct these preparations; and in the meantime the fullest scope is given to calumny, malevolence; suspicion, ever alive and busy, is left free to act; and most efficacious means are afforded, for overwhelming with public odium an innocent man, who, until the age of sixty three, has maintained an unspotted reputation, who bore an early and not an unimportant part in our common struggle for liberty; and who after discharging with honor, many most important trusts conferred on him by his fellow citizens, was raised by Washington, the witness of his services, and often the companion of his exertions, to that high office, his conduct in which, though now the subject of accusation, has always been regulated by the most conscientious regard to his duty, and his oath.

These are injuries to which he cannot suppose that your honorable body will suffer him to remain exposed. He therefore presumes to solicit, most respectfully, but most earnestly; and confidently hopes, that your honorable body will not adjourn without preferring articles of impeachment against him, and thus reducing to precise form that accusation, which in its present vague and general state, it is impossible for him to repel. Could an immediate trial be had, it would be far more agreeable to his feelings; but as circumstances render it impossible that he should be gratified in that extent, he forbears to ask it, and confines himself to that request, which it is, he conceives, perfectly early for your honorable body to grant.

SAMUEL CHASE.

Baltimore, 24th March 1804.

#### REPORT

Of the Committee appointed to prepare Articles of Impeachment against Samuel Chase, one of the associate justices of the supreme court of the United States—25th March, 1804.—Read and ordered to lie on the table.

#### ARTICLES OF IMPEACHMENT.

Articles exhibited by the house of representatives of the United States, in the name of themselves and of all the people in the United States against Samuel Chase, one of the associate justices of the supreme court of the United States in maintenance and support of their impeachment against him, for high crimes and misdemeanors.

#### ARTICLE I

That, unmindful of the solemn duties of his office, and contrary to the sacred obligation by which he stood bound to discharge them "faithfully and impartially, and without respect to persons," the said Samuel Chase on the trial of John Fries charged with treason before the circuit court of the United States, held for the district of Pennsylvania, in the city of Philadelphia, during the months of April and May, one thousand eight hundred, whereat the said Samuel Chase presided, did in his judicial capacity, conduct himself in a manner highly arbitrary, oppressive, and unjust, viz:

1. In delivering an opinion in writing, on the question of law, on the construction of which the defence of the accused materially depended, tending to prejudice the minds of the jury against the case of the said John Fries, the prisoner, before counsel had been heard in his defence.

2. In restricting the counsel for the said Fries from recurring to such English authorities as they believed apposite, or from citing certain statutes of the United States, which they deemed illustrative of the positions, upon which they intended to rest the defence of their client.

3. In debarring the prisoner from his constitutional privilege of addressing the jury (though his counsel) on the law, as well as on the facts, which was to determine his guilt or innocence, and at the same time endeavoring to wrest from the jury their indisputable right to hear argument, and determine upon the question of law, as well as the question of fact, involved in the verdict which they were required to give.



**ARTICLE II.**  
That, in consequence of this irregular conduct of the said Samuel Chase, as dangerous to our liberties, as it is novel to our laws and usages, the said John Fries was deprived of the right secured to him by the eighth article amendatory of the constitution, and was condemned to death without having been heard by counsel, in his defence, to the disgrace of the character of the American bench, in manifest violation of law and justice, and in open contempt of the rights of juries, on which ultimately rest the liberty and safety of the American people.

**ARTICLE III.**  
That, prompted by a similar spirit of persecution and injustice, at a circuit court of the United States, held at Richmond, in the month of May, one thousand eight hundred, for the district of Virginia, whereat the said Samuel Chase presided, and before which a certain James Tompson Callender was arraigned for a libel on John Adams, then president of the United States, the said Samuel Chase, with intent to oppress, and procure the conviction of, the said Callender, did overrule the objection of John Basset, one of the jury, who wished to be excused from serving on the said trial, because he had made up his mind as to the publication from which the words, charged to be libellous, in the indictment, were extracted; and the said Basset was accordingly sworn, and did serve on the said jury.

**ARTICLE IV.**  
That the evidence of John Taylor, a material witness on behalf of the aforesaid Callender, was not permitted by the said Samuel Chase to be given in, because the said witness could not prove the truth of the words of one of the charges, contained in the indictment, although the said charge embraced more than one fact.

**ARTICLE V.**  
That the conduct of the said Samuel Chase was marked, during the whole course of the said trial, by manifest injustice, partiality and intemperance, viz.  
1. In refusing to postpone the trial, although an affidavit was regularly filed, stating the absence of material witnesses on behalf of the accused;  
2. In the use of unusual, rude and contemptuous expressions towards the prisoner's counsel; and in insinuating that they wished to excite the public fears and indignation, and to produce that insubordination to law, to which the conduct of the judge did at the same time manifestly tend;  
3. In repeated and vexatious interruptions of the said counsel, on the part of the said judge, which at length induced them to abandon their cause and their client, who was thereupon convicted and condemned to fine and imprisonment;  
4. In an indecent solicitude manifested by the said Samuel Chase, for the conviction of the accused, unbecoming even a public prosecutor, but highly disgraceful to the character of a judge, as it was subversive of justice.

**ARTICLE VI.**  
That, at a circuit court of the United States, for the district of Delaware, held at New-Castle, in the month of June, one thousand eight hundred, whereat the said Samuel Chase presided; the said Samuel Chase disregarding the duties of his office, did descend from the dignity of a judge and stoop to the level of an informer, by refusing to discharge the grand jury, although entreated by several of the said jury so to do; and after the said grand jury had regularly declared, through their foreman, that they had found no bills of indictment, nor had any presentments to make, by observing to the said grand jury, that he, the said Samuel Chase, understood "that a highly seditious temper had manifested itself in the state of Delaware, among a certain class of people, particularly in New Castle county, and more especially in the town of Wilmington, where lived a most seditious printer, unrestrained by any principle of virtue, and regardless of social order—that the name of this printer was"—but checking himself, as if sensible of the indecorum which he was committing, added,—"that it might be assuming too much to mention the name of this person, but it becomes your duty, gentlemen, to enquire diligently into this matter;" and that with intention to

procure the prosecution of the printer in question, the said Samuel Chase did, moreover, authoritatively enjoin on the district attorney of the United States the necessity of procuring a file of the papers to which he alluded, (and which were understood to be those published under the title of "Mirror of the Times and General Advertiser") and by a strict examination of them to find some passage which might furnish the ground-work of a prosecution against the printer of said paper: thereby degrading his high judicial functions, and tending to impair the public confidence in, and respect for, the tribunals of justice, so essential to the general welfare.

**ARTICLE VII.**  
And whereas mutual respect and confidence between the government of the United States and those of the individual states, and between the people & those governments, respectively, are highly conducive to that public harmony, without which there can be no public happiness. Yet the said Samuel Chase, disregarding the duties and dignity of his judicial character, did, at a circuit court for the district of Maryland, held at Baltimore, in the month of May, one thousand eight hundred and three, pervert his official right and duty to address the grand jury then and there assembled on the matters coming within the province of the said jury, for the purpose of delivering to the said grand jury an intemperate and inflammatory political harangue, with intent to excite the fears and resentment of the said grand jury, and of the good people of Maryland against their state government, and constitution, a conduct highly censurable in any, but peculiarly indecent and unbecoming in a judge of the supreme court of the United States; and moreover that the said Samuel Chase, then and there, under pretence of exercising his judicial right to address the said grand jury, as aforesaid, did, in a manner highly unwarrantable, endeavor to excite the odium of the said grand jury, and of the good people of Maryland against the government of the United States, by delivering opinions, which, even if the judicial authority were competent to their expression, on a suitable occasion and in a proper manner, were at that time, and as delivered by him, highly indecent, extrajudicial and tending to prostitute the high judicial character which he was invested to the low purpose of an electioneering partisan.

And the house of representatives, by protestation, saving to themselves the liberty of exhibiting, at any time hereafter, any farther articles or other accusation or impeachment against the said Samuel Chase, and also of replying to his answers which he shall make unto the said articles, or any of them; and of offering proof to all and every the aforesaid articles, and to all and every other articles, impeachment or accusation, which shall be exhibited by them, as the case shall require, did demand that the said Samuel Chase may be put to answer the said crimes and misdemeanors, and that such proceedings, examinations, trials and judgments may be thereupon had and given, as are agreeable to law and justice.

**WANTED.**  
A YOUNG MAN, qualified to take charge of a STORE & SET OF BOOKS—For such a one liberal wages will be given—ALSO—a BOY from about thirteen, and not exceeding fifteen years of age, will hear of a situation, if speedy application be made to  
DAVID KERR, Junior.  
Easton, March 27th, 1804. 15

**NOTICE.**  
IS hereby given that agreeably to the terms of Association proposed for forming a company by the name and style of "The President and Directors of the UNION BANK OF MARYLAND."—A subscription for Talbot County, for five hundred shares, under the direction of the subscribers, will be opened on Monday the 9th day of April next, at the Counting Room of Mr. Owen Kennard in Easton, and will continue open, during the time, and within the hours specified in the articles of Association already published—Of which persons, desirous of entering into the said Association, are required to take notice.

OWEN KENNARD,  
NICHOLAS HAMMOND,  
WILLIAM MELUY.  
Easton, 27th March 1804. 15 3w

## Valuable Lands FOR SALE.

On the 23d day of May next, will be exposed to public sale, on the premises, all that very valuable body of LAND, usually called the White Marsh, lying in Sassafras Neck, in Cecil County, containing about 1075 Acres, part of the real estate of Col. JAMES BRICE, late of the City of Annapolis, deceased.

THIS Land is esteemed by those who are best acquainted with it, to be equal, if not superior, in quality and situation, to any in that county, and is peculiarly well adapted to the cultivation of wheat, corn, and other grain. It is at present divided into three handsome farms, each of which has abundance of wood, and a suitable proportion of meadow lands. The improvements on the middle farm consist of a good dwelling house, barn, stables, and other out houses. Those on the other two consist only of negro quarters, built of logs. On a corner of the middle farm is a store house, granary, and a comfortable dwelling house, situated at the intersection of two public roads. The store, &c. with about three acres of ground, is at present under rent at 60s. per annum, and is esteemed an excellent stand for business, especially in the Grocery line.

The above land is situated about six miles from Frederick Town, on Sassafras River, and about thirteen miles from Appoquinimink, the latter of which is a steady good market for Wheat. It is probable that the Canal, which it is in contemplation to cut between the Chesapeake and Delaware, will enhance its value. This property will be sold on one body, or divided into such parcels as may best suit the purchasers. The terms of sale will be, one half of the purchase money to be paid in 15 months, the residue in two years; the whole to bear interest from the day of sale, and bonds, with approved security, to be given for the same.—Mr. Galaway Walkins, manager, residing on the middle farm, will shew the Lands to those inclined to purchase.

NICHOLAS CARROLL, } Trustees.  
NICHOLAS BRICE, }  
N. B. At the same time will be sold on terms then to be made known, a number of fine Horses, Sheep, Hogs, &c. and all the farming utensils, but none of the Negroes.

NICHOLAS BRICE, Adm'r. of  
James Brice.  
April 3, 1804. 16 6w

**WASHINGTON COLLEGE,**  
March 27, 1804.  
The Visitors and Governors having determined to enlarge the Plan of Education in this Seminary, to the extent authorized by their original Charter of Incorporation,

hereby give notice,  
THAT they have engaged Miss HENDERSON, to open a School for YOUNG LADIES, on Wednesday the 4th of April next, in that large and commodious house in Chestertown, heretofore occupied for the same purpose by Mrs. Mansell.

In this School, which will be under the direction and control of the Visitors, Young Ladies will be taught Spelling, Reading, Plain Sewing—Marking on Samples, Tambouring, Embroidery, Lace Work, Flowering on Muslin, Chinelle, Fillagree and Faney Work.—And at stated and appropriate Houses, the professor of English and Oratory in the College will attend to instruct the Young Ladies in writing English Grammar, Arithmetic, Geography, and the use of the Globes. Miss Henderson will take Young Ladies to board on such terms as she and their parents may think reasonable.

By order of the Board of Visitors and Governors of Washington College,  
DANIEL M'CURTIN, Sec'y.

A BOY, from 14 to 15 years of age, is wanted in the HERALD OFFICE as an Apprentice to the Printing-Business.

APPRENTICES INDENTURES,  
For sale at this office.

## THE SUBSCRIBER'S famous horse Hero,

CANADIAN BREED, will cover at Six Dollars the season—Four Dollars will discharge the debt, if paid by the first day of October, or Three Dollars down. Hero will stand at Easton on Tuesdays and Wednesdays; at St. Michael's on Thursdays and Fridays; at the Trappe on Saturdays; in Oxford on Sundays and Mondays, until the last day of June, 1804.

EDWARD BROMWELL.  
April 3, 1804. 16 3w

## WANTED IMMEDIATELY, An Apprentice Boy

To the House Carpenter's Business.  
TRISTRAM BOWDLE.  
Easton, March 13, 1803. 13 5w

IN CHANCERY, March 20, 1804.

ANDREW HALL, an Insolvent Debtor of Caroline county, having heretofore applied by petition in writing to the Chancellor, praying the benefit of "an Act for the relief of sundry insolvent debtors," passed at the last session of the General Assembly, and a schedule of his property, and a list of his creditors, on oath, as by the said act required, being annexed to the said petition, and the said Andrew Hall having proved to the satisfaction of the Chancellor, that he hath resided in the state of Maryland the two last years preceding the passage of the said act—and having been brought before the Chancellor and discharged from imprisonment on taking the oath by the said act required.—It is thereupon adjudged and ordered that the said Andrew Hall appear before the Chancellor, in the Chancery Office, on the thirteenth day of July next, to answer such interrogatories as may be proposed to him by his creditors, that the said day be, and it is hereby appointed the time for the said creditors to appear and recommend a Trustee for their benefit, and that the said Andrew Hall give them notice of the passage of this order, by causing a copy of it to be inserted in Cowan's newspaper three times before the twelfth day of April next. True Copy.

TEST,  
SAMUEL H. HOWARD,  
15 Reg. Cur. Can.

IN CHANCERY, March 24, 1804.

ON application to the Chancellor by petition in writing of Samuel Nicols, stating that he is an Insolvent Debtor, and praying the benefit of the "Act for the relief of sundry insolvent debtors," and a schedule of his property and a list of his creditors, on oath, being annexed to his petition, and the Chancellor being satisfied by competent testimony, that the said Samuel Nicols hath resided in the state of Maryland the two last years preceding the passage of the said act.—It is thereupon adjudged and ordered, that the said Samuel Nicols, by causing a copy of this order to be inserted three weeks in Cowan's newspaper, at Easton, before the twentieth day of April next, give notice to his creditors to appear in the Chancery Office, at ten o'clock, on the tenth day of May next, for the purpose of recommending a Trustee for their benefit, on the said Samuel Nicols then and there taking the oath by the said act required, for delivering up his property for the benefit of his creditors. True Copy.

TEST,  
SAMUEL H. HOWARD,  
15 Reg. Cur. Can.

## FOR SALE.

THE Subscriber offers the Ground lying on Harrison Street, from the Old Market House up to the street opposite to Mr. Hammond's, on a credit of one, two and three years.

This property, from its central situation, is as valuable as any now offered for sale in the town of Easton.—And if the purchaser is disposed to let it out on a ground rent, he may immediately clear 25 per cent. on the terms that will be offered by

ROBERT LLD. NICOLS.  
March 4, 1804. 12 8wuc.

## JUST RECEIVED,

And is now for Sale at this Office,  
[PRICE 31 CENTS.]

**AN EXAMINATION  
Of the various charges exhibited against  
Aaron Burr, Esq.**

Vice President of the United States, and a development of the characters and views of his

POLITICAL OPPONENTS.

BY ARISTIDES.



# Eastern Shore



# Intelligencer.

EASTON: (MARYLAND,) Published every Tuesday Morning, by JAMES COWAN.

[VOL. XIVth.]

TUESDAY MORNING, APRIL 17, 1804.

[NO. 718.]

FROM THE BOSTON CENTINEL.

Political Sketches of Europe.

## GREAT BRITAIN.

Information from England is so frequent—the series of papers so regular—and the extracts given in the American gazettes so copious, that very little of novelty can be furnished an attentive reader in a recapitulatory sketch of the nature of those we are now taking.—If, therefore, we can present a condensed view of the political situation of the United Kingdom, at the latest dates we shall have done all which can be expected. Our labours, however, may, possibly, gratify those who are too indolent to peruse details as they are published; and inform such as have only time to attend summaries.

At the last dates, the whole British Empire continued absorbed in warlike preparations. Like the land of Cadmus, "it was bristled with pikes and bayonets, and alive with armed men." The entire force in arms, equipped and accounted for "the tested field," was calculated at Half a Million of soldiers. The British King, in a speech, delivered the 22d November last, alluding to this force, says, "the preparations he had ordered, had been seconded by the patriotic exertion of all ranks of people, in a manner which proved that the menaces of France had only served to arouse their native and hereditary spirit; and that all other considerations had been lost in a general disposition to make those efforts and sacrifices which the honor and safety of the kingdom demanded at the all-important and critical juncture."—Such was the description of the spirit of the nation given by its chief Magistrate.

The official return of the Volunteers, whose services had been accepted, made to the War Office, the 10th November, gave of Infantry 297,502; of Cavalry 31,600; of Artillery 6,207.—Total 335,309.—These with the regulars, army of reserve, militia, &c. amount to 500,000 fighting men. This immense force is regularly organized and distributed.—We have seen the appointments to the general staff;—it includes one commander in chief, (the Duke of York) four Generals, twenty-one Lieutenant-Generals, forty-six Major-Generals, and seven Brigadiers.—Among these we find the Earl Moira, General Hutchinson, Pulteney, Churchill, Moore, Balfour, Coote, Hope, Briskine, Tarleton, Doyle, and other veterans, distinguished in the annals of warfare. The troops thus commanded were daily exercised in all the duties of the field of carnage; and a constant succession was kept up of marches, alarms, reviews, mock-fights, &c. In the districts of London and Westminster alone not less than 40,000 volunteers were at the drill every morning; and the returns of the review gave 27,027 efficient rank and file, on the field. In the ranks of the volunteer corps were to be seen Princes of the Blood, Peers, and Commons. Mr. Pitt the late Prime minister is Colonel of the Cinque Port volunteers; and the celebrated Charles James Fox, a private in the Chertsey volunteers. This spirit of volunteering had risen with the exigencies of the times; and had experienced no abatement at the date of our last. It appeared to form such a bulwark to the Empire, as, under Divine Providence, would not only bid defiance

to invasion, but be able to hurl back the vengeance which the French had threatened. Some evidence of the paramount spirit in the kingdom, may be seen, in the fixed determination, expressed by the King to his Parliament, in the event of an invasion, to share in person the exertions and dangers of his people, in defence of the constitution, the religion, laws and independence of the Empire. The preparations made for erecting the Royal Standard; and the collection of the King's field equipage, were indications that he was in earnest.

The regular force of the Kingdom—the army of reserve; and the best disciplined of the militia, were stationed on the coast; which was fortified at all points; while the entrance of all the rivers and inlets were defended by innumerable floating batteries, block ships and gun boats.

Besides the above force, there were many hundred associations of men, armed with pikes, to feet in length; corps of guides, drivers, sappers, and miners, to conduct detachments through unfrequented passages; to drive off the cattle; to destroy bridges; to blow up roads, and to throw every impediment in the way of an invading foe.

The British naval preparations had not been on a scale equally extensive with those on land. Nevertheless, they were formidable in point of numbers; and without a hyperbole, may be said to command and cover the Ocean. A strong fleet under admiral Cornwallis had for months been stationed off Brest;—Lord Keith commanded another fleet in the North Sea, which watched the coasts of Holland;—Lord Nelson had a third in the Mediterranean;—Sir Edward Pellew, had a squadron of five sail of the line off Ferrol;—Admiral Montague, with a flying squadron scoured the coast of France; another squadron was cruising off the coast of Ireland; and the channel, & ports, in the expected track of the invading flotillas, were literally whitened with the canvas of light frigates, corvettes, bomb-ketches, gun-boats and cutters. The vigilance of British Naval commanders was in full exercise, in watching the coast of France and Holland; and was continually excited by the manoeuvres of the French gun boats in trips from port to port. These Lilliputian expeditions, which, however, make a showy figure in the "Moniteur," and the orders of Admiral Bruix, remind one of Gulliver's rowing his boat in a wooden trough before the King of Brobdingnag, for the amusement of the court.—When Bonaparte was lately on the coast those expeditions were frequent. Though the whole reliance of the British Cabinet was not on its fleet;—the greatest activity prevailed in the Dock yards in equipping vessels for sea.—A heavy impress of seamen had been made late in November; and the Parliament had voted 100,000 seamen for the service of the year 1804.

Though engaged in defensive measures, the British had not been unmindful of making impressions in foreign parts. The British king announced that his forces had captured St. Lucia, Tobago, St. Pierre, Demerara, and Essequibo; and of the places taken the last war, we believe they still retain Pondicherry, in the East Indies, Goree, on the coast of Africa; and Malta, in the Mediterranean.

Notwithstanding the business of war, was the chief pursuit of the Nation

the commerce of Great Britain had not experienced any visible diminution; nor had the progress of internal improvement, the liberal arts and sciences, been impeded; and the volunteer scheme had not been permitted to take many manufacturers from their looms or work shops. The exports of the kingdom the last year were greater than in any preceding one.—British manufacturers find their way into every quarter of the world.—Maugre all the measures of Bonaparte, they are smuggled in great quantities into France; and in the German papers we find it a subject of complaint, that all the fairs of the Empire were glutted with English goods, which arrive at Venice, Trieste &c. by the Adriatick.

The revenues of the Nation were extremely flourishing; and the system of defraying the expences of the war by taxes, without burthening posterity was adhered to.

The harvest in Great Britain the last year was abundant; but the Ministry, calculating on the clamours which a scarcity, should it prevail, always produces, and which cannot be reasoned with or resisted, have been provident in importing great quantities of grain from Germany and South Prussia. At Dantzick one English vessel had purchased 1800 loads of wheat.

The public stocks have been considered (perhaps improperly) the political Barometer of the Nation. At the latest dates they indicated fairer weather. During the former part of November, the *Three Per Cent.* continued vibrating between 52 & 53.—Towards the end of the month, they rose to 54; and on the first December, were at 55. This would be called an indication of approaching accommodation, if it could be imagined from what quarter it could possibly be introduced.

No precaution appeared to escape the attention of those who directed the affairs of Britain. The French prisoners who had been captured in the numerous prizes which have been taken, had been removed from the coast to the interior of the kingdom; where they were narrowly watched.—Certain discoveries rendered the precaution highly necessary.

All "agitation" to the measures of the administration had ceased, or was suspended; and the leaders of the old and new Oppositions had determined, until the aspect of affairs changed, not to discuss any measures; but to permit the ministers "to manage their affairs their own way."

The policy which Britain has adopted with regard to Spain and Portugal has baffled conjecture; and put all distant calculations at defiance.—They still continued at peace; and the British ministry when called upon for explanations on the subject, have preserved a studied silence. It was supposed by many, that some more powerful inducement than the mere market they afforded for British manufacturers, must have operated on the ministry to defer a declaration of war against Spain, at least which had been

There are three parties in England—two of which though more, are not extinct. Besides the ministerial party, there are the Old Opposition, of which Mr. Fox, Mr. Grey, Lord Stanhope, &c. are leaders;—and the New Opposition, composed of Lord Grenville, Mr. Windham, and their friends;

so long expected;—which the nation had called for; and the delay of which had called forth so many execrations from the navy. The rare of old England had flared in imagination the ingots of the Spanish galleons, which they afterward had seen pass to port while their hands were led. Spain is assuredly the ally, and purchaser of France; and certainly the Spanish possessions in South America would fall an easy prey to the British arms, and serve as an offset for the supplies furnished to France. Self-preservation, if not the law of nations, one would think, would justify the measure of warfare in England. If Bonaparte is permitted, by the nations of the world, to squeeze from Spain, Portugal, Holland, the Hanseatic towns, the Italian Republics, Naples, Rome, Etruria, Switzerland, and Hanover, monies sufficient to maintain an army of 200,000 men, which the French themselves contest;—what should hinder George the Third—as he possesses, like Bonaparte, the power from America the ally of France in a small part of this amount. The indications of a rupture, however, were less evident than they had been; the Ministers of Spain and Portugal appeared continually at the levees of St. James; and had frequent conferences with the secretary of state.

King's Speech or the debates in Parliament, on the subject of the mediation of Russia; nor the so much spoken of negotiation between Mr. Monroe and the Ministry, on Commercial affairs.

On the latter subject, it is our duty to caution the public against being misled by the English paragraphists, whose crudities have been copied into our papers. It is evident at the first view, the writers did not understand the subject they attempted to discuss. It appears there is some ignorant busy body in London, who is perpetually scribbling on American affairs; without any degree of knowledge on the subject. It is well known that all the commercial part of Mr. Jay's treaty expired in October last.—It is equally as well known, that between nations, whose intercourse is so extensive as that of the United States and Great Britain; regulations are not only necessary but indispensable; & that our government could not have been so improvident as not to open a negotiation on the subject. No doubt that negotiation has commenced; and as it is natural that each party should contend for terms, a collision of sentiment was to be expected. But that exorbitant concessions have been demanded on either side, we do not believe; Mr. Monroe knows the principles which govern the British Cabinet in their commercial treaties.—All the Northern Powers, have recently concluded treaties recognizing that commercial code; and it cannot be expected, that Great Britain will consent to place the commerce of the United States on a better footing, than that of Russia, Sweden, and Denmark.

Though menaced by a powerful foe, the British Empire still had confidence in its physical powers, wealth, resources, population and the union and loyalty of its citizens. That foe sees & feels the omnipotency of that confidence; and in that knowledge we may search for the true cause of the delay of his threatened invasion. In the proudest days of British prosperity she never presented so formidable a front to any enemy.



as she did at our last dates.—The language of the nation to her armed defenders is forcibly and beautifully displayed in the following address, with which we conclude the sketch.

NEW-YORK, April 5.

Very late from London.

By the arrival yesterday of the ship John Morgan, captain Howard, in 27 days from London, the editors of the New York Gazette, have received London papers to the evening of the 3d March.

The king of England it appears was on the recovery. The subject of his illness had been taken up in parliament.

The sailing of the French fleet from Toulon is contradicted.

Dispatches had been received from Lord Nelson, giving an account of the ill treatment of the English consul by the Dey of Algiers—at which place his lordship had appeared with a part of his squadron, and demanded satisfaction—which the Dey refused to give. His lordship thought it improper to commence hostilities without the consent of his government, and had written home for orders.

PHILADELPHIA, April 11.

Extract of a letter from a gentleman passenger on board the schooner Wealthy, captain Toy, from New-York, bound to Charleston, dated Wilmington, (N. C.) 22d of March.

"You will be surprised, no doubt, when you see from whence I date my letter; we sailed from Philadelphia on the 9th inst. On the 17th encountered a severe gale of wind, lost all her sails except the main sail and jib, and were obliged to make for the first port; we arrived here yesterday in a miserable condition, for you might call her a perfect wreck; we all expected every moment to be the last. It was the most awful scene I ever witnessed, the sea ran twenty or thirty feet higher than the masts of the vessels; severe thunder and lightning, and the severest gale that could possibly blow. We lost the whole of our deck load. We expect to sail in about a fortnight.

"The gale lasted better than twenty four hours. I believe none of the cargo below deck is damaged; our jolly boat was stove to pieces on the stern.

BALTIMORE, April 7.

Information has been received from New Orleans, that several attempts have been recently made to set fire to that city. Governor Claiborne has issued a proclamation offering a reward of 500 dollars for the detection of the incendiaries.

We understand that four frigates are at present equipping, by orders of the administration, which are to be immediately dispatched to reinforce the United States Squadron in the Mediterranean.

April 10.

Extract of a letter from a gentleman in Bermuda, to his friend in Norfolk, dated the 3d of March, 1804.

"Captain Cobb, of the brig Thomas, sailed from your port for Jamaica—not far from that Island he was engaged by a French privateer of about 80 men: They kept up a constant firing of musketry, for about two hours.—Capt. Cobb kept them off by two pieces of cannon, for which he used as stern chasers, out of the cabin; at length captain Cobb received a ball through his arm, and while below to bind up the wound, the man at the helm quitted his quarters and gave the French an opportunity of boarding the brig—the barbarous wretches were no sooner on deck, than they began to cut and kill all before them, two they left dead and seven miserably butchered—among whom was capt. Cobb.—All the wounded they put into an open boat without a quadrant, compass, bread or water. The negroes that were not wounded they carried off. This is the third instance of their cruelty we have just heard of. Fortunately capt. Cobb's wounds are healing, and is again with his family."

LEXINGTON, March, 20

On Monday last the Fayette circuit court commenced its March session in this town.—Richard Tomlinson, who was indicted for a rape committed on his own niece, was found guilty, and sentenced to ten years imprisonment at

hard labor in the penitentiary. Public indignation was perhaps more aroused than on this occasion. During the trial, the court room continually crowded—and when jury brought in their verdict, a burst of applause resounded from every part of the house.

## THE HERALD

EASTON,

TUESDAY MORNING, April 17.

The Editor of the Herald very respectfully solicits the attention of his patrons to their several arrearages which appear to be due for the paper, advertisements, &c.

ERRATUM.—In the 3d line of the 3d paragraph under our last Easton head, for "Russia," read Prussia.

Captain Howard, of the John Morgan, from London, informs, that on leaving the Downs the 8th March he was visited by a lieutenant from on board lord Keith's fleet, who informed him, that he had that morning received information of the conspiracy against Bonaparte, at the head of which was the celebrated Moreau, and several other distinguished characters.—All of whom had been detected. Moreau and several others had made their escape.—And further informed, that the British government had dispatched several cutters off to their (Moreau, &c.) assistance. Several men of war sailed for the French coast the day captain Howard left there. Some of them steered for Cherbourg, off which place he heard a heavy firing before he lost sight of the coast.

London, March 3.

The bulletin shewn to the royal visitors at St. James's, who were very numerous, was briefly as follows:

"Queen's House, March 3.

"His Majesty is going on favorably."

Signed as before.

To this agreeable information we are enabled to add, that his Majesty will be able to resume the full exercise of his royal functions in a few days. That is to say, such is the confident report in the ministerial circles.

The Courier de Londres of last night states with a degree of confidence, that on the 12th ult. Madame Bonaparte went to the dock of the invalids at Paris, where instead of being received with acclamations, she was assailed by the tumultuous cries of the workmen, demanding bread and the arrears of their wages. The minister of marine, who was present, with some difficulty appeased the tumult, by a promise of the payment of eight francs to each of the workmen that evening. Madame Bonaparte is said to have been very much alarmed, and to have regained her carriage with some difficulty.

It is stated in the Portsmouth Oracle, that the United States have sustained a loss of 8 or 10,000 dollars, in consequence of illegal credit having been given at the custom-house at Portsmouth.

From the New York Evening Post.

[Some gentlemen directly from Washington who were eye witnesses of the following transaction, having informed us that there were one or two mistakes in our relation of last evening, we now, with a view to be strictly correct, begin again; taking care to omit or supply according to the exact truth. And thus amended, we, relying on the unquestionable respectability of our informants, undertake to assert that it is no fable, but a correct narration of what actually happened.]

The Man of the People.—A fellow who had been excommunicated by the Methodists, and so got into favour with the President and was made chief baker to the navy, took it into his head to compliment his patron, and for this purpose, on Monday, the day before Congress rose, formed a procession consisting of a suitable number of the foreign people, preceded by all the bakers in Washington, dressed in

mean white frocks and aprons, and carrying something covered with a white cloth on a pike. This was actually carried into the capitol, and laid out in state in the large committee room, separated from that where the Senate was sitting by a passage way, and on a level with the senate gallery. Being uncovered, it appeared to be a Mammoth Loaf of Bread about 12 feet in length 2 feet in breadth, and of a suitable height. Accompanying the Mammoth Loaf was a huge cold roasted sirloin, and two quarter casks, one containing wine, and the other the more republican liquor, cider. The bakers arranged themselves on each side ready to do the honours of the table. The nobility were not, at once, admitted into the room: they therefore soon became very clamorous for their equal rights, and loud and authoritative knocks were repeated at the door; means, however, were found to smooth and restrain them till the President should appear and take the first cut.—In the mean time the house of representatives adjourned for two hours that gentlemen might regale themselves with a sight and a taste. Some of them were witnesses to what we relate, but who thought it most prudent for them to leave the room soon after the entrance of the great personage.—At length about 12 o'clock the President of the United States sauntered in among them, in the unceremonious style of a true republican. After he had exchanged a few careless nods with one and another, the chief baker advanced and asked him if he would take a luncheon? He put his hand deliberately in his pocket, pulled out a jack knife and advanced to the loaf he cut off a large piece.—[In this particular we are concerned to state, our informants are not precisely agreed whether the piece of bread was cut by the President or the baker; on the whole we let the circumstance remain as it stood yesterday and proceed]—then turning to the sirloin he very handsomely cut off a slice from that, after which he put up his knife, and taking his bread and his meat in his fingers, he eat with apparent hunger, ever & anon dipping his meat in the salt & mustard alternately, the band all the while playing *Jefferson's March*! By this time as many of the sovereign people had got in as the room could contain, consisting principally of the "unhappy fugitives from" justice, with a suitable mixture of "our Indian neighbours," negro brethren, and several ladies of fashion, as the latest and most polite London prints term them as a substitute for the vulgar phrase of *ladies of the town*. [This circumstance was omitted yesterday through the extreme haste in which the article was drawn up, but we assure the reader it is one in which all our informants, to the amount of half a dozen gentlemen agree.] The wine was plentifully distributed to such as preferred it, but "our beloved President" it is admitted on all hands, contented himself with cyder, as being more congenial with the spirit of "genuine republicanism." While this was going on in the committee room above, care had been taken to provide a barrel of whiskey and another of cyder in the great area below, which was sold out by the gill to those of the less favoured of the crowd who could not get admittance above. By which means a suitable and corresponding degree of enthusiasm was kept up throughout all the citizens assembled on this occasion. When matters had been sufficiently prepared and the sovereign people were quite ripe and mellow, an Irishman advanced and pasted up on the door a caricature of Mr. Senator Wright from Maryland, carrying off the capitol on his back with a label issuing from his mouth containing the words "I can't move it," alluding to Mr. Wright's motion then pending before the Senate to remove the seat of government to Baltimore: the next step was to burn Mr. Wright and eight other senators, who voted with him, in effigy, and preparations were making accordingly. "the band all the while playing *Jefferson's March*" but, alas! like all human schemes for happiness, the duration of this presidential subject was but of short continuance.

The mutual congratulations of each other and of the *Man of the People* became so enthusiastic and so noisy, that the senate, in their chamber, found it impossible to proceed in their debates,

which had not been a moment suspended on the occasion. Mr. Franklin, therefore, president pro tem. sent a messenger to desire the people assembled to depart. He soon returned with the information that they absolutely refused, and threatened the messenger with personal violence. On this several members expressed their opinion that the chair ought to be supported, and at the unanimous desire of all present, Mr. Franklin sent the sergeant at arms, Mr. Matthews, to disperse them at all events. The sergeant at arms entered with much importance, and in a loud voice addressed them with "What's here? you noisy good-for-nothing rascals, I command you all, in the name of the Senate, to depart instantly, and remove those barrels of liquor." While he was in the act of executing this duty, what was his consternation to encounter the president himself in the crowd, and as busy & jovial as any of them! Awe struck he instantly returned. Perceiving him to look extremely pale and agitated as he entered the Senate chamber, some gentlemen enquired with anxiety what was the matter or what he had seen?—All the answer he could make at first was, "be's there, be's there." Who's there?" "Mr. Jefferson—the President himself there!" The reader is left to guess at the confusion, that ensued. The report spread among the members and for some minutes business was entirely interrupted.

The gallery of the senate chamber was soon perceived to be crowded with the merry makers, who becoming a little noisy even there, the senate adjourned. In the afternoon the same audience returned, which being perceived, General Jackson rose and made a speech in behalf of *privilege*; in the course of which he expressed great warmth at the unworthy treatment Mr. Wright had met with in the forenoon. Turning directly to the gallery and stretching forth his arm, he addressed them at some length, concluding with "Columbians! let me conjure you never to be guilty of such conduct in future; if you do, rely upon it we shall never tamely submit to it; we will, if necessary, call the army and the navy to our assistance, and—put you all to death!" This terrible menace was heard in the most profound silence, nor was the general either interrupted or insulted. But Mr. Wright entertained such serious apprehensions for his personal safety, that when he went to the senate chamber the next morning, he thought it prudent to go armed and accordingly entered the room with a pair of large loaded horse pistols.

Here ends the story itself—remarks will not be indulged; every reader is left to make his own. All we shall say is, that we have not a doubt that this mob procession was framed, if not originally at the desire, at least with the connivance of the President himself, that he might have a fair opportunity before he left Washington to shew that he was in reality and practically the Man of the People.

We conclude with assuring our readers, that if either of Mr. Jefferson's editors, Duane, or Silky-milly Smith, shall deny the correctness of the above account, or any part of it, such denial shall be re-published as soon as it reaches us.

A committee of the legislature of this state have published a list of names as candidates for electors of president and vice-president at the next election and with it an address to the citizens of Pennsylvania. This address shall hereafter be noticed as we shall find room and leisure. At present we will barely remark that the following sentence appears to comprise in few words the main principle upon which the address is founded.

"Citizens, beware of their artful wiles! beware, more especially of pretended republicans, men of third party principles! Beware of the UNION OF HONEST MEN!"

This last sentence is a key to the whole address. G. U. S.

We anticipate, without much presumption, that the nominations of President and Vice President, made by the Republican members of congress, will be universally acceptable to the friends of liberty throughout the union. It would be a work of supererogation to attempt any eulogium upon the political deportment of THOMAS JEFFERSON. It may suffice to say



that before his country called him to the exercise of the first office in its gift, he was emphatically denominated the man of the people; and that in the discharge of the high duties of his station, he has demonstrated that the honourable epithet was not misapplied. Power has not corrupted a heart, or impaired an understanding, both of which have through a chequered life been actively engaged in rendering services to his fellow men. Many individuals have distinguished themselves in advocating the liberties of their country before they attained the high political places; but few have preserved, in the possession of power, an unabated zeal for the public welfare. *Be it the characteristic distinction of Thomas Jefferson, that his political principles have never CHANGED, and that in power, as well as out of power, his patriotism has shone with equal splendour.*

#### Nat. Intelligencer.

##### Impudence is a coat of mail.

It is a remark of Machiavel, and it is true, that no scheme of government concentrates power into so few hands as a democracy. The Many are indeed amused, and to borrow a vulgar but significant phrase, humbugged with the nation that they rule. They have a farce acted over very often in which they seem to rule, but while the shadow of power is yielded to them with all possible parade, the substance is kept by the artful leaders for themselves. It is impossible the rabble should actually rule; but their vanity is extremely concerned and sufficiently gratified in the pantomime show of sovereignty, while the demagogues usurp every prerogative of power and push it in the name of the people to every extremity of outrage and abuse. This has happened a thousand times—in fact nothing else has ever happened in democracies. Yet the stupid rabble affect to wonder at any person who insolently presumes to suppose it should ever happen at all. For the people to be their own worst enemies and to be cheated by favourites, and generally the most ambitious scoundrels are their favourites, out of their liberties, they deem impossible. Accordingly these impossible things take place very quietly without suspicion or resistance, and the people continue to sing about liberty as so many mocking birds or parrots would in their gilt cages after they have lost it. We have in the United States, besides Mr. Jefferson, ten or twenty very adroit dupes makers—and the people, meaning always as the Jacobins do, the rabble, work as kindly we must confess in their hands, as clay in the hands of the potter—and they are accordingly working up into vessels of dishonour. For behold the republican (we spit at the abuse of that name)—the republican member has nominated a President and Vice-President. In form then, as well as in fact we are in the power of an oligarchy, a fate to which every Democracy is destined. It is the first stage in the journey—the few govern a short time—then one—one Consul for life, and his sword is his sceptre. We have got on beyond Rolandism almost to Robespierism, and what remains of our race we shall soon run.

Now who can resist this nomination. What is it but a combination of the government and its hangers on, to keep themselves in office. The triumvirate of Antony, Octavius and Lepidus, in like manner, disposed of the Roman Empire and the elections went on in form by the choice of the Roman people, with as pretty an outside show and as delusive a show of liberty as our's will—and with just as little of the substance. For who can resist this combination, this conspiracy. Even a Democrat who should hesitate would be proscribed and hunted down. But a Federalist would be duped or prosecuted for a libel who opposes. Yet many thousands of democrats will shrink in their hearts that Mr. Jefferson is not the fittest candidate. They will whisper, but in a very low voice, he is a disaffected man. "Power has corrupted him" and he has dishonoured his office by his mean duplicity and his persecuting malice. He hired Callender, he is the friend of Paine. He invited him over; he employed Philip Freneau, he wrote to Mazzini slandering Washington, he has written in his noies on Virginia about the judiciary, and the power of a majority to oppress a minority, and in regard to the negroes and aliens, and navy and

manufactures, every thing that he has contradicted since. If he did not act like a coward at Carter's mountain, he has acted in office with the vindictive cruelty of one in regard to his political opponents. The federalists from the bottom of their souls detest his hypocrisy—and every democrat knows that no man is more likely as President to embitter our party divisions and to make them irreconcilable. His sincerity, his courage, his revolutionary conduct, his connections in France, in this country—in short, whether we regard his principles or his want of them, there is not a more unfit man for president in the nation.

Read the account his printer, the hireling Smith, gives of his master, and say, men of honour, whatever your politics may be, is any King or Consul or Bashaw or Dey upon earth flattered more grossly or with a more brazen disregard for truth? *he never changed his principles*—it may answer as a defence to say he never had any. But surely it is in print that all he ever pretended to have he has either expressly disavowed or openly disregarded. Newspaper praise may dull his feelings against the point of newspaper satire—but there is a decision of the heart, there is a judgment of posterity—there is such a thing, as history to bear witness, and the record of his infamy will remain when he has lost, and his conscience has regained its office.

#### [Reperitory.]

Jacobinism is the government of demagogues, who to manage the passions of the people must stir them up to fury. It is therefore in its very nature, violent and revolutionary. We have seen what it is by its effects in France. Jeffersonism is a species Jacobinism differing very little from its model, it has as much impudence, as much violence, a little less courage and a good deal more hypocrisy.

What is Federalism? It is an habitual submission to the restraints of law and good government. It is that spirit of subordination guided and enlightened by that set of principles that Washington has unfolded in his last Address. Nobody can mistake unless it be wilfully, what federalism is. It is as far removed from Jeffersonism, as truth is from falsehood, honour from meanness, Washington from Jefferson.

To drag the dark demon of Jacobinism into day, is no hard task, to vindicate federalism is easy enough, for Washington's example and his address explain and fix its character and creed. But to bind the Jacobin demon in chains, and in order to do it, to arouse numb federalism into life and action, is a task not wholly to be despised of, but never to be accomplished until genius, learning, and eloquence, combine to flash light and fire from the press and the congress hall; and until the men who own money or farms, see and tremble while they see, that Jacobinism will never desist till it has despoiled them. It is in vain that we have warnings, inasmuch as three years experience, shews we will not take them. We seem predestined to SURVIVE and PERISH—and that quickly.

#### CHARACTER OF JEFFERSON & BURR.

President and Vice President of the United States.

As given by the Democrats who raised them to these offices. Coming from their own party associates and friends, they may at least be supposed to have been drawn free of party prejudice, if not with truth. In about one year after the election of Mr. Burr to the vice-presidency by the unanimous voice of the democratic electors, the following character of him was published by *Chattel*, the democratic printer of New York, who is the chosen trumpeter of the fact in that state, and who is also patronized by the present administration of the General Government.

"It is fearful to reflect (says *Chattel*) upon what our condition, in all probability would be, were Mr. Burr at the head of our government. If Mr. Adams could do so much, what could not Mr. Burr effect? It cannot be concealed that he is a man of desperate fortunes—bold, enterprising, ambitious and intriguing; thirsting for military glory and Bonapartian fame! A man of no fixed principle; no consistency of character; of contracted views as a politician; of

boundless vanity, and listless of the public good; who is pursuing, with an appetite as keen as death, and a hand steady as steel, projects disreputable to himself and injurious to the country."

Fit to disturb the peace of the world, is endeavoring, by little arts, to supplant the Chief Magistrate, and estrange the affections of the people from him. This indeed has been his uniform practice from the very moment the republicans agreed to support Mr. Jefferson as President, and himself as Vice President.

Having here the sentiments of the democrats themselves, relative to the character of their Vice-President; let us turn to what they say of Mr. Jefferson, their idolized President. A short time previous to the last presidential election Governor Clinton, the present Governor of New York, was at the house of Mr. Burr, in company with several leaders of the democratic party, where, in conversation upon the subject of the election,

Governor Clinton "explicitly declared that he had long entertained an unfavourable opinion of Mr. Jefferson's talents as a statesman, and his firmness as a republican. That he conceived him an accommodating trimmer, who would change with times and bend to circumstances for the purpose of personal promotion. Impressed with these sentiments, he could not, with propriety, he said, acquiesce in the promotion of a man destitute of the qualifications essential to the good administration of the government; and added other expressions too vulgar to be here repeated."

Here, then, we have the character of both these gentlemen, given by those who zealously supported them for the high and important offices of President and Vice-President of the United States. The first they tell us "is a man of no fixed principle, listless of the public good; of boundless vanity, and pursuing, with an appetite keen as death, projects disreputable to himself and injurious to the country." The second, we are told, on the high authority of Governor Clinton, "is an accommodating trimmer, who changes with the times for the purpose of personal promotion." In proof, that Governor Clinton is a man of high standing with the democrats, we shall just observe, that he is now Governor of New York by the choice of that party; and that he has lately been agreed upon by the same men at Washington to be held up for office of Vice-President of the United States, at the next election; and that he made use of the words above stated; the testimony of Messrs. David Gellison, John Mills; J. Swartwout and Matthew L. Davis, respectable citizens of New York, who were present at the time, is referred to. Nor do the friends of Governor Clinton attempt to deny the fact, but defend themselves by saying it was a breach of confidence in the person who gave it publicity, and "that any man who after that would confide in the wretch, who had published or authorized the publication of this anecdote, deserved to be flayed to the heart in the unsuspecting moments of sleep." Such are the bloody minded sentiments of the democrats of New York!

Departed this life on Saturday evening last, after an illness of about three weeks, Master JAMES TAYLOR, of this town, who had not perhaps exceeded the 16th year of his age. He was a promising youth, and the pride of his bereaved and affectionate mother. For the information of those who are ignorant of the cause of his early demise, it will not be thought improper to observe, that it was from the bursting of a fowling-piece whilst in the pursuit of his game. It is therefore hoped, that so melancholy a catastrophe will afford a serious warning to youth in general, and pointedly to his numerous school-mates, who remain to bemoan his unfortunate exit.

If pity asks if virtue claims a tear? Think, gentle readers, think, and shed it here.

#### FOR SALE.

A HEALTHY Young Negro Woman, with two children—She is a good cook, and will be sold with her children on reasonable terms. Apply to the printer hereof.

April 13, 1804.

#### Shrewsbury Church Lottery.

##### By Authority.

AN Act for raising by Lottery, a sum not exceeding Four Thousand Dollars, to be paid to the Vestrymen of Shrewsbury Parish, and by them applied to the repairing the Church, completing the wall, and discharging the debts of said Church.

#### SCHEME.

prize of	dols.	3000
1 do. of dols. 2000 to be paid to the possessor of the last drawn ticket.	2000	
1 prize of	1000	
1 do.	800	
1 do.	600	
2 do. of 500 dols.	1000	
4 do. 200	800	
10 do. 100	1000	
12 do. 50	600	
20 do. 40	800	
40 do. 30	1200	
25 do. 20	500	
282 do. 6	17,292	

3000 tickets at 10 dols. dols 30,592

#### NO BLANKS.

Five Dollars only for each ticket will be demanded at time of sale.—Provided a sufficient number of tickets are sold, the drawing will commence on the second Tuesday in May next.

All prizes shall be payable 30 days after the drawing is finished, subject to a deduction of 15 per cent.—If not demanded in twelve months will be considered as relinquished for the benefit of the church.

The subscribers have given bond to the state for the due execution of the trust and payment of the prizes.

Tickets to be had in Baltimore of Benjamin and John Comegys, Samuel & L. Wethered.

Philadelphia—John Lorain, senior, John Lorain, junior, & Robert Hodgson.

Wilmington—Rev'd William Pryce.

Middletown—Robert Maxwell.

Elkton—Samuel Briscoe.

George-Town Cross Roads—John Ireland, Doctor Edward Scott.

Dover—William Wilmer.

Duck Creek—George Kennard.

Chester-Town—Edward Anderson.

Isaac Cannell, junr.

Head Chester—William Gilbert.

Groom Osborn, & Edward Eubanks.

Centreville—James Wilmer.

Easton—John Kennard junr.

Salisbury—Rev'd William Stone.

Snow-Hill—J. H. Handy, & of each of the Commissioners.

James Blackington, William Briscoe, Edward Wright, James Salisbury, Oliver Smith, Jacob Freeman, George Yeater.

April 17, 1804.

IN CHANCERY, March 26, 1804.

ORDERED, That the said made by Richard C. Keene, Trustee for the sale of the real estate of Shadrach Keene, shall be ratified and confirmed, unless cause to the contrary be shown on or before the 31th day of May next, provided a copy of this order be inserted in one of the newspapers of Easton before the 18th day of April next.

The report states that a Tract of Land in Dorchester county, called Keene's Misfortune, containing 1294 acres, and the interest of the said Shadrach Keene, in two tracts called Keene's Settlement, and Keene's Pasture, were sold subject to power for Dols. 3250.

True Copy.

Tess, SAMUEL HARVEY HOWARD,

18 3<sup>d</sup> Reg. Cor. Can.

#### NOTICE.

WHEREAS the subscriber hath obtained from the orphan's court of Worcester county, in Maryland, letters of administration on the personal estate of Thomas Newbold, late of said county, deceased, and having progressed in the administration so far as to be able to settle with the creditors of said deceased, therefore the said creditors are hereby requested to attend at Berlin, in said county, with their vouchers, on the fourth day of May next, in order to receive their distributive part of said estate. Given under my hand and the seal of said court, this 1st day of April, 1804.

Wm. H. H. H.

Wm. H. H. H.

Wm. H. H. H.

Wm. H. H. H.

Wm. H. H. H.

Wm. H. H. H.

Wm. H. H. H.

Wm. H. H. H.

Wm. H. H. H.

Wm. H. H. H.

Wm. H. H. H.



# THE JUDGMENT OF THE PORTS.

Two Nymphs, both nearly of an age,  
Of numerous charms possess'd,  
A warm dispute once chang'd to wage,  
Whose temper was the best.

The worth of each had been complete,  
Had both alike been mild—  
But one, although her smile was sweet,  
Frown'd oft'ner than she smil'd.

And in her humour, when she frown'd,  
Would raise her voice and roar,  
And shake, with fury, to the ground,  
The garland that she wore.

The other was of gentler cast,  
From all such frenzy clear;  
Her frowns were seldom known to last,  
And never prov'd severe.

The poets of renown in song,  
The Nymphs refer'd the cause,  
Who, strange to tell, all judg'd it  
And gave misplac'd applause.

They gently call'd, and kind, and soft,  
The slipper and the scold;  
And tho' she chang'd her mood so soft,  
That failing left untold.

No judges, sure, were e'er so mad,  
Or so resolv'd to err;  
In short the charms her sister had,  
They lavish'd all on her.

Then thus the God, whom fondly they,  
Their great inspirer call,  
Was heard, one genial summer's day,  
To reprimand them all.

"Since thus ye have combin'd," he  
said,  
"My fav'rite nymph to flight,  
Adorning May, that peevish maid,  
"With June's undoubted right.

"The mix shall, for your folly's sake,  
"Still prove herself a shrew,  
"Shall make your scribbling fingers  
ache,  
"And pinch your noses blue."

Reports of cases argued and determined  
in the Supreme Court of CUPID.

Hicmal Term... Anno Amoris, 5808.  
REGINA vs. AGNES SINCLAIR.

This was an information filed by  
the Attorney General, founded on the  
statute of *nudity*. The evidence was  
in writing, and the facts proved were,  
that "in a public assembly of both sexes  
the prisoner appearing dressed in a  
gown cut so extremely low before and  
behind; that many things which ought  
to have been concealed wholly or in  
part, were exposed to public view,"  
and also that "the remainder of the  
dress was so thin and transparent, that  
the form of the lady through all its  
sinuosities was indelicately perceptible,"  
and also that "the lady at that  
time wore no petticoat."

After verdict, Recamier, Sergeant  
of counsel for the prisoner, moved an  
arrest of judgment upon two points;  
First: With regard to the first charge  
relative to the fashion of the gown,  
he contended that the evidence was too  
indefinite to convict the prisoner;  
"many turns were exposed which  
ought to have been concealed." The  
word "*things*" is the most indefinite  
word in the language; it means any  
thing; and therefore nothing; the jury  
had no right to give it a meaning in  
this case. Besides, how could the wit-  
ness determine and swear that the  
*things* alluded to ought or ought not to  
be concealed; that is a question of law;  
he was not a judge of this honorable  
court; perhaps your honors might  
think differently from him, and decide  
that the gown was not a criminal one.  
When it was made, the lady might  
have expected to have been married  
soon, and then it would be, at least, a  
convenient one.

Secondly: With regard to the two  
last charges, the prisoner could not be  
convicted upon the statute relative to  
*nudity*, as the evidence was clear that  
she was in full dress. However thin  
and improper her dress might have  
been, this was not the legal form of  
correcting those evils.

But the court overruled these objec-  
tions. They said enough was proved  
of the first charge to satisfy the jury,  
(and they were the exclusive judges of  
it) that the lady was so far *nude*, as to  
be properly considered *indelicately dressed*,  
and that it had been long settled, that

whatever was indecent destroyed the  
enchantment of love, and therefore in  
this court to be accounted criminal.—  
With regard to the second point, they  
said, it was not the intention of the  
statute to guard only against *entire nu-  
dity*. The word was not yet bad en-  
ough to require such a prohibition.  
But the statute was intended to prevent  
that gradual increase of transparency  
of dress and nakedness, which threat-  
ens in the course of time to terminate  
in the wearing of nothing but gauze  
or crape apparel; or in the absolute  
indecent of wearing no clothes at all;  
a circumstance very much to be dread-  
ed in cold climates, and among virtu-  
ous and decent people. The objects  
of the statute were the preservation of  
modesty, the restoration of genuine  
love, (now almost unknown) and the  
protection of that natural decency,  
which seems to be laughed out of  
countenance by our fashionable peo-  
ple. The dress of the lady was in di-  
rect violation of the spirit of the sta-  
tute, and she therefore must recognize  
to make appearance here to-morrow  
to receive sentence.

The next day the court sentenced  
her to wear *wild bare gowns*, made to  
tie close round the neck, and not less  
than two flannel petticoats at a time;  
and also to find two sureties to recognize  
with her, that she shall not appear in-  
decently dressed for one year.

[Boston Gazette.]

## NAVAL IMPROVEMENT.

An English lieutenant of the navy  
has received the thanks of the Right  
Hon. the Lords of the Admiralty, for  
an excellent plan (which he has com-  
municated to their lordships) for the  
purpose of keeping the squadrons of  
his majesty's fleets upon their stations  
before the enemy's ports in blowing  
weather. The plan is likewise of the  
utmost utility to prevent a ship from  
falling into the trough of the sea, and,  
in a gale of wind, to keep her from  
the danger of being drove upon a lee  
shore, where there is no anchorage.  
It will also be found of great impor-  
tance, in case a ship should lose her  
masts, carry away her masts, lose her  
rudder, get becalmed after a long gale  
in a heavy sea, or become otherwise  
in a distressed situation. The above  
invention is rendered invaluable, by  
its being at once upon so plain and so  
easy a principle, that it may be com-  
prehended in an instant, and two or  
three seamen can, at any time, con-  
struct the whole machine in a few mi-  
nutes, out of a part of the ship's ma-  
terials, without any loss or expence  
whatever, as the machine (after it is  
done with) can with ease be taken to  
pieces, and those parts which com-  
posed it used again for their ordinary  
purposes. [Ark.]

A very ingenious young man of the  
name of Smart, a journeyman tailor,  
near Tunbridge Wells, has invented  
an *infernal machine*, which when plac-  
ed in any point of contact against an  
invading force, is capable of destroying  
a thousand men in a minute. The  
expence, I am told, will be small when  
compared with its utility. He has gone  
to explain to the Duke of Richmond,  
Lord Lieutenant of the County, the  
model of his machine, and has met the  
general approbation of all the Gen-  
tlemen Volunteer Officers in that  
neighbourhood; the inventor is a vol-  
unteer himself, though a tailor.—  
Should it meet the approbation of the  
Duke of Richmond, Smart will under-  
take to conduct it himself into the cen-  
tre of the enemy's legions; the great  
merit in the construction of this ma-  
chine is, that he can remain in perfect  
safety in the centre, while he deals  
death and destruction to all around him,  
and he is capable of re-charging it in  
ten minutes; and it can be moved with  
one horse, with the greatest facility, at  
the rate of eight miles an hour.

Mr. LESTER, of *Somersetshire*, in *Hun-  
tingdonshire*, Eng. has very successfully  
cultivated hemp on a black peaty soil,  
formerly the bed of a river, but which  
was much over-run with nettles and  
other rubbish. This mode of culture,  
not only yielded fifty stone of hemp  
per acre, but cleaned the land com-  
pletely.

A battalion of the Dutch army, de-  
signed to invade England, is command-  
ed by a man of a very terrible name,  
Major STOUT DE GRAVE.

## German Receipt for a Consumption.

Take fresh nettles every day (those  
of the finest green are the best,) press  
out the juice, and give the patient a  
table spoonfull before rising in the  
morning, repeating the dose at noon  
and bed-time, with a tea cup full of  
red Burgundy or port after the juice.  
The diet of the patient to consist of  
soup or broth, containing the expressed  
nettles, and good roast beef or mut-  
ton; he is not to be allowed to eat any  
thing sour, or highly seasoned. This  
remedy has long been used by a medi-  
cal man of the first eminence in Ger-  
many.

A Swede advertises in the *Stockholm*  
papers of the 8th ult. that he has in-  
vented an utensil in which meat may  
be dressed in the best manner for two  
persons, without wood or coal, or in  
any place or apartment, without da-  
maging it. This utensil, says the ad-  
vertiser, may be had of him for about  
6s. English money; and the matter  
used instead of firing, is to be purchas-  
ed in sufficient quantity for each mess  
at the price of about 1d.

Sir EVAN NEPEAN, who has been  
for a considerable time secretary of the  
British board of admiralty, has been ap-  
pointed to an important office in Ireland,  
Messrs. Marden, Markham and Tuck-  
er, are candidates for his office at the  
board of admiralty.

Purple has been strongly recom-  
mended by some *ambitious* dandies as a  
sort of permanent fashionable colour  
in the dress of the fair. Thus they  
would denote their possession of *univer-  
sal empire*.

A society is forming at Birmingham  
for the prevention of fraudulent bank-  
ruptcies, swindling, &c. Connections  
for the purpose of information will not  
only be formed in London, Liverpool,  
Bristol, Manchester, &c. but also in  
Germany, Russia, Spain, Portugal, A-  
merica, and wherever a reciprocal in-  
terest may arise to the parties engaging  
in the correspondence.

## WANTED.

A YOUNG MAN, qualified to take  
charge of a STORE & SET OF  
BOOKS—For such a one liberal wages  
will be given—ALSO—a BOY from  
about thirteen, and not exceeding fif-  
teen years of age, will hear of a situa-  
tion, if speedy application be made to  
DAVID KERR, Junior.  
Easton, March 27th, 1804. 15

## FOR SALE.

THE Subscriber offers the Ground  
lying on Harrison street, from  
the Old Market House up to the street  
opposite to Mr. Hammond's, on a cre-  
dit of one, two and three years.

This property, from its central situ-  
ation, is as valuable as any now offered  
for sale in the town of Easton—And if  
the purchaser is disposed to let it out  
on a ground rent, he may immediately  
clear 25 per cent. on the terms that  
will be offered by

ROBERT LED. NICOLS.  
March 4, 1804. 12 8wuc.

## THE SUBSCRIBER'S

famous horse Hero,

CANADIAN BREED, will cover  
at Six Dollars the season—Four  
Dollars will discharge the debt, if paid  
by the first day of October, or Three  
Dollars down. Hero will stand at  
Easton on Tuesdays and Wednesdays;  
at St. Michael's on Thursdays and Fri-  
days; at the Trappe on Saturdays; in  
Oxford on Sundays and Mondays, un-  
til the last day of June, 1804.

EDWARD BROMWELL.  
April 3, 1804. 16 3w.

## WANTED IMMEDIATELY.

An Apprentice Boy

To the House Carpenter's Business.  
TRISTRAM BOWDLE.  
Easton, March 23, 1803. 13 5w

## JUST RECEIVED.

And is now for Sale at this Office,  
[PRICE 31 CENTS.]

AN EXAMINATION

Of the various charges exhibited against

Aaron Burr, Esq.

Vice-President of the United States, and a  
development of the character and

POLITICAL OPPONENTS.

BY ARISTIDES.

## Valuable Lands

FOR SALE.

On the 23d day of May next, will be ex-  
posed to public sale, on the premises,  
all that very valuable body of LAND,  
usually called the White Marsh, lying  
in Sassafras Neck, in Cecil County,—  
containing about 1075 Acres, part of  
the real estate of Col. JAMES BRICE,  
late of the City of Annapolis, de-  
ceased.

THIS Land is esteemed by those  
who are best acquainted with it,  
to be equal, if not superior, in quality  
and situation, to any in that county,  
and is peculiarly well adapted to the  
cultivation of wheat, corn, and other  
grain. It is at present divided into  
three handsome farms, each of which  
has abundance of wood, and a suitable  
proportion of meadow lands. The  
improvements on the middle farm con-  
sist of a good dwelling house, barn,  
stables, and other out houses. Those  
on the other two consist only of negro  
quarters, built of logs. On a corner  
of the middle farm is a store house,  
granary, and a comfortable dwelling  
house, situated at the intersection of  
two public roads. The store, &c. with  
about three acres of ground, is at pre-  
sent under rent at 60l. per annum,  
and is esteemed an excellent stand for  
business, especially in the Grocery  
line.

The above land is situated about six  
miles from Frederick Town, on Sas-  
sfras River, and about thirteen miles  
from Appoquinimink, the latter of  
which is a steady good market for  
Wheat. It is probable that the Can-  
al, which it is in contemplation to  
cut between the Chesapeake and De-  
laware, will enhance its value. This  
property will be sold on one body, or  
divided into such parcels as may best  
suit the purchasers. The terms of sale  
will be, one half of the purchase mo-  
ney to be paid in 15 months, the resi-  
due in two years; the whole to bear  
interest from the day of sale, and  
bonds, with approved security, to be  
given for the same.—Mr. Gafaway  
Walkins, manager, residing on the  
middle farm, will shew the Lands to  
those inclined to purchase.

NICHOLAS CARROLL, } Trustee  
NICHOLAS BRICE, }

N. B. At the same time will be sold  
on terms then to be made known, a  
number of fine Horses, Sheep, Hogs,  
&c. and all the farming utensils, but  
none of the Negroes.

NICHOLAS BRICE, Adm'r. of  
James Brice.

April 3, 1804. 16 6w

## WASHINGTON COLLEGE,

March 27, 1804.

The Visitors and Governors having de-  
termined to enlarge the Plan of Educa-  
tion in this Seminary, to the extent au-  
thorized by their original Charter of  
Incorporation,

hereby give notice,

THAT they have engaged Miss  
HENDERSON, to open a School  
for Young Ladies, on Wednesday  
the 4th of April next, in that large  
and commodious house in Chester-  
town, heretofore occupied for the same  
purpose by Mrs. Mansell.

In this School, which will be under  
the direction and control of the Visi-  
tors, Young Ladies will be taught  
Spelling, Reading, Plain Sewing—  
Marking on Samples, Tambouring,  
Embroidery, Lace Work, Flowering  
on Muslin, Chinelle, Pillagee and  
Fancy Work.—And at stated and ap-  
propriate Houses, the professor of En-  
glish and Oratory in the College will  
attend to instruct the Young Ladies in  
writing English Grammar, Arithmetic,  
Geography, and the use of the Globes.  
Miss Henderson will take Young  
Ladies to board on such terms as she  
and their parents may think reason-  
able. 16 6w

By order of the Board of Visitors  
and Governors of Washington College,  
DANIEL M'CURTIN, Sec'y.

A BOY, from 14 to 15  
years of age, is wanted in  
the HERALD OFFICE as an  
Apprentice to the Printing-  
Business.

## APPRENTICES INDENTURES

For sale at this office.